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No. 5

House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. PETRI).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
January 31, 2000.

I hereby appoint the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

MORNING HOUR DEBATES

The SPEAKER pro tempore (Mr. PETRI). Pursuant to the order of the House of January 19, 1999, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS) for 5 minutes.

U.S.-CHINA TRADE AGREEMENT

Mr. STEARNS. Mr. Speaker, as we begin the next session of the 106th Congress, we are going to engage in another heated discussion regarding normal trade relations with China.

In exchange for attaining membership in the World Trade Organization,

China has made a number of commitments in regard to its trade policy. Among those commitments are improved market access, tariff reductions, elimination of nontariff quotas, open service sectors and elimination of export subsidies.

While many people are celebrating this alleged win for American businesses, I come this morning to question the actual benefit for the United States of America. China is the fourth largest supplier of U.S. imports and the thirteenth largest buyer of U.S. exports. In addition, the U.S. trade deficit with China has risen from \$6.2 billion in 1989 to \$57 billion in 1998.

Furthermore, China has a dismal record of complying with prior international agreements, and I think this is an important point. A blatant example concerns intellectual property rights.

The United States Trade Representative can specify under the 1974 Trade Act which countries are violators. They are the "Special 301 Priority Foreign Countries," sort of a designation and those countries that violate U.S. intellectual property rights are so designated. So let us look at the list when it comes to China.

In 1991, China was named a Special 301 violator for intellectual property rights. They sat down with them. They reached an agreement a year later and China said: We will agree to strengthen our intellectual property laws and improve protection for U.S. products in our country. But did they?

In 1994, the United States Trade Representative again identified China as a violator. At this time, many factories in China were pirating compact disks while China trade laws restricted U.S. market access. So an agreement was reached a year later again with China to stem this piracy and enforce the intellectual property rules.

But again in 1996, another year later, the USTR, the United States Trade

Representative, designated China as a violator again for not complying. And only when they were threatened with a \$2 billion sanction did China begin to comply.

So China has shown an ability to exploit loopholes in agreements regarding the transfer of military technology. In 1992, China agreed to abide by the rules of the Missile Technology Control Regime and then turned and sold ballistic missile components to Pakistan. Though no technical violation was made, the transfer, of course, was contrary to the spirit of the agreement. China has also aided Pakistan, Iran, and Algeria in the area of nuclear technology and equipment.

Another area of uneasiness is that China has made no attempt to conceal its aggressiveness dealing with military modernization. In addition to arms purchases, such as the Russian built SU-27 fighter, which holds near parity with our F-15 fighter, China has begun construction of two short-range missile bases which now can threaten Taiwan.

Mr. Speaker, we also need not forget the enormous damage called by China's espionage activities resulting in the theft of U.S. thermonuclear design information. The Cox report concluded that elements of this stolen information would help China in building its next generation of mobile ICBMs. In fact, the Washington Times reported on December 6 last year that China is working on a new strategic missile submarine containing smaller nuclear warheads similar to American weapons. Upon completion, China will have the ability to strike U.S. forces anywhere it chooses.

Mr. Speaker, I think the evidence is clear: this country is aggressively expanding its military complex, while at the same time blatantly disregarding international agreements and exploiting loopholes in others.

China has a history of torturing some of its religious leaders and arresting

This symbol represents the time of day during the House proceedings, e.g., 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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peaceful opposition demonstrators. China has stolen U.S. nuclear secrets and attempted to influence the U.S. political process through what I believe to be illegal campaign contributions.

Mr. Speaker, these are just a few illustrations I've outlined in the brief 5 minutes that I have here. There is a longer list of China's predatory tactics. Do we have assurance that China will keep its words the next time. I doubt it.

I bring this to the attention of my colleagues now so that when we have the heated discussion regarding the normalization of trade relations with China they will remember.

PRESIDENTIAL CANDIDATES SHOULD SERIOUSLY ADDRESS NATIONAL DEBT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 19, 1999, the gentleman from Michigan (Mr. SMITH) is recognized during morning hour debates for 5 minutes.

Mr. SMITH of Michigan. Mr. Speaker, all the Presidential Republican candidates and Democrats are campaigning today for the Nation's first elections tomorrow. I would like to talk, Mr. Speaker, about what is happening with our national debt. The public debt of the United States that technically every citizen now or our kids and our grandkids eventually are going to have to pay off.

Mr. Speaker, I hope every one of those candidates realizes that this talk about paying down the public debt is somewhat of an untruthful presentation of what is happening with the public debt of this country.

The way we do our bookkeeping here in Washington is sometimes confusing and unquestionably very complicated. But what we have right now is a public debt, as defined in law of \$5.72 trillion, \$5.72 trillion, approaching \$6 trillion.

We made some good decisions this past year to not spend any of the Social Security surplus for other government spending. Excellent start. Excellent beginning. But still, our total national debt continues to increase. Why is the total debt of this country continuing to increase as we brag, and that is Republicans, Democrats, the President, brag that we are balancing the budget and paying down the Federal debt? Here is why.

We have about 112 trust funds. The largest, of course, is the Social Security Trust Fund. But we are borrowing from all of these other trust funds also. The Civil Service Retirement Trust Fund, the Highway Trust Fund, the Airport Trust Fund, the Medicare Trust Fund. From all of these trust funds we are taking the extra money, because we have charged additional taxes more and above what is needed in any particular one year of spending. Now, we are using that money for other government spending.

I am introducing legislation that says let us lower the total debt subject

to the debt limit that Congress has to pass and the President has to sign. Let us lower that debt to where it will be at the end of this fiscal year next October 1, and then let us stick to it. Let us make sure that we have the kind of freeze that is going to take the burden off of our kids and our grandkids so that they are not going to end up having to pay for what we consider is very important spending this year.

Mr. Speaker, I am a senior member of the Committee on the Budget. This week we are holding what are called listening sessions, talking about what the Members are willing to do in terms of holding the line on spending.

I am a very strong advocate, and I will encourage at our meetings tomorrow, this week and next week, that we have spending caps for the kind of spending discipline that it allows us.

We have come a long ways. When I first came to Congress in 1993, the projected deficit, in addition to what we were borrowing from Social Security, was over \$200 billion a year. Now, at least, we have balanced the budget in terms of Social Security spending, and that is the largest amount. There will be approximately \$120 billion or \$130 billion more money coming in from Social Security taxes than we need in any one year, so somehow we should be starting to talk about how do we reduce that burden on working men and women of America; and how do we save Social Security in the long run?

It is a huge challenge. We talk about millions and billions and trillions. But, Mr. Speaker, if anybody can conceive what a trillion dollars is, let me just give what is going to be required to pay out Social Security benefits over the next 75 years over and above what we are going to collect in Social Security taxes.

Over and above what we are going to collect in Social Security taxes over the next 75 years, it is going to take \$120 trillion more money. That has got to either come from increased borrowing, increased taxes, because I suspect the way we have been going in Congress it is not going to be coming from reduced spending in other areas. There are huge challenges before us.

Mr. Speaker, I am a farmer. What we do on the farm is we try to pay off the farm so that our kids do not have to pay off that mortgage. In this country we are continuing to increase the debt to give a bigger mortgage to our kids and our grandkids. Let us turn that around. Let us have the presidential candidates start talking about the seriousness of saving Medicare and saving Social Security and paying down this huge public debt that is facing this country.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 12 o'clock and 42 minutes p.m.), the House stood in recess until 2 p.m.

AFTER RECESS

The recess having expired, the House was called to order at 2 p.m.

PRAYER

The Chaplain, the Reverend James David Ford, D.D., offered the following prayer:

Our hearts and hopes and prayers are with all those who face any uncertainty for the day or who must meet the predicaments that each day presents. Where there is this uncertainty, we pray, O gracious God, that You would grant faith and trust; where there are the dilemmas of decisions or the compromises that shade our views, we pray for wisdom. O God, our help in ages past and our hope for years to come, lead us all in the way of peace and understanding and grant us confidence in Your love to us and to all people. This is our earnest prayer. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Nevada (Mr. GIBBONS) come forward and lead the House in the Pledge of Allegiance.

Mr. GIBBONS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MUCH WORK LIES AHEAD

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, today we face a new century in America and, as we begin the second session of the 106th Congress, much work lies ahead of us. Over the last few weeks I had the opportunity to tour my great State and meet many of the citizens of the State of Nevada, and during these meetings my constituents expressed what they expect from and need from their Federal Government.

They want a federal commitment to empower local communities to make decisions on school construction and modernization projects, not the Federal Government. They want a health care package which assures access to medically necessary treatments while not eroding the quality of our health care system. They want a real tax cut for hard working Americans that includes the elimination of the marriage penalty tax and the death tax, but

these are only a few of the concerns which we will need to address this session.

Mr. Speaker, I am confident that we will rise to the challenge and pass responsible legislation which will meet the very needs of not just Nevadans but all Americans.

So let us do as my friend Mills Lane says: let us get it on.

THE TORTURE IN SIERRA LEONE MUST STOP

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, today I rise to speak about what has happened in the African country of Sierra Leone. The gentleman from Ohio (Mr. HALL) and I visited Sierra Leone this past December. We were horrified at the atrocities that we saw; men and women with their arms and legs and ears cut off. Throughout Sierra Leone, rebel groups have tortured and killed and maimed thousands to gain control of the country's diamond industry, and these rebels have committed unbelievable acts that are hard to even look at.

The gentleman from Ohio (Mr. HALL) has introduced legislation to stop the trafficking of conflict diamonds that have fueled so much of the death and destruction.

H.R. 3188 will require that all diamonds bought and sold in the U.S. be identified as to their country of origin.

I believe that the bill of the gentleman from Ohio (Mr. HALL) will help end the maiming and the killing in Sierra Leone, and I urge all Members to please call the office of the gentleman from Ohio (Mr. HALL) and cosponsor this bill so we can bring an end to the maiming and cutting off of legs and arms and the killing of people.

REPORT ON STRATEGIC CONCEPT OF NATO—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106-81)

The SPEAKER pro tempore (Mr. PETRI) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Armed Services and ordered to be printed.

To the Congress of the United States:

Pursuant to the authority vested in me as President of the United States, including by section 1221(a) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106-65), I hereby determine and certify that the new NATO Strategic Concept imposes no new commitment or obligation on the United States. Further, in accordance with section 1221(c) of the Act, I transmit herewith the attached unclassified report to the Congress on the potential threats facing the North Atlantic Treaty Organization.

WILLIAM J. CLINTON.

THE WHITE HOUSE, January 31, 2000.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Such rollcall votes, if postponed, will be taken after debate has concluded on all motions to suspend the rules but not before 6 p.m. today.

REAUTHORIZING PRINTING OF CERTAIN PUBLICATIONS

Mr. BOEHNER. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the concurrent resolution (H. Con. Res. 221) entitled "Concurrent resolution authorizing printing of the brochures entitled 'How Our Laws Are Made' and 'Our American Government', the pocket version of the United States Constitution, and the document-sized, annotated version of the United States Constitution."

The Clerk read as follows:

Senate amendment:

Strike out all after the resolving clause and insert:

SECTION 1. OUR AMERICAN GOVERNMENT.

(a) IN GENERAL.—The 1999 revised edition of the brochure entitled "Our American Government" shall be printed as a House document under the direction of the Joint Committee on Printing.

(b) ADDITIONAL COPIES.—In addition to the usual number, there shall be printed the lesser of—

(1) 550,000 copies of the document, of which 440,000 copies shall be for the use of the House of Representatives, 100,000 copies shall be for the use of the Senate, and 10,000 copies shall be for the use of the Joint Committee on Printing; or

(2) such number of copies of the document as does not exceed a total production and printing cost of \$412,873, with distribution to be allocated in the same proportion as described in paragraph (1), except that in no case shall the number of copies be less than 1 per Member of Congress.

SEC. 2. DOCUMENT-SIZED, ANNOTATED UNITED STATES CONSTITUTION.

(a) IN GENERAL.—The 1999 edition of the document-sized, annotated version of the United States Constitution shall be printed as a House document under the direction of the Joint Committee on Printing.

(b) ADDITIONAL COPIES.—In addition to the usual number, there shall be printed the lesser of—

(1) 550,000 copies of the document, of which 440,000 copies shall be for the use of the House of Representatives, 100,000 copies shall be for the use of the Senate, and 10,000 copies shall be for the use of the Joint Committee on Printing; or

(2) such number of copies of the document as does not exceed a total production and printing cost of \$393,316, with distribution to be allocated in the same proportion as described in paragraph (1), except that in no case shall the number of copies be less than 1 per Member of Congress.

SEC. 3. HOW OUR LAWS ARE MADE.

(a) IN GENERAL.—An edition of the brochure entitled "How Our Laws Are Made", as revised

under the direction of the Parliamentarian of the House of Representatives in consultation with the Parliamentarian of the Senate, shall be printed as a House document under the direction of the Joint Committee on Printing.

(b) ADDITIONAL COPIES.—In addition to the usual number, there shall be printed the lesser of—

(1) 550,000 copies of the document, of which 440,000 copies shall be for the use of the House of Representatives, 100,000 copies shall be for the use of the Senate, and 10,000 copies shall be for the use of the Joint Committee on Printing; or

(2) such number of copies of the document as does not exceed a total production and printing cost of \$200,722, with distribution to be allocated in the same proportion as described in paragraph (1), except that in no case shall the number of copies be less than 1 per Member of Congress.

SEC. 4. POCKET VERSION OF THE UNITED STATES CONSTITUTION.

(a) IN GENERAL.—The 20th edition of the pocket version of the United States Constitution shall be printed as a House document under the direction of the Joint Committee on Printing.

(b) ADDITIONAL COPIES.—In addition to the usual number, there shall be printed the lesser of—

(1) 550,000 copies of the document, of which 440,000 copies shall be for the use of the House of Representatives, 100,000 copies shall be for the use of the Senate, and 10,000 copies shall be for the use of the Joint Committee on Printing; or

(2) such number of copies of the document as does not exceed a total production and printing cost of \$115,208, with distribution to be allocated in the same proportion as described in paragraph (1), except that in no case shall the number of copies be less than 1 per Member of Congress.

SEC. 5. CAPITOL BUILDER: THE SHORTHAND JOURNALS OF CAPTAIN MONTGOMERY C. MEIGS, 1853-1861.

(a) IN GENERAL.—There shall be printed as a Senate document the book entitled "Capitol Builder: The Shorthand Journals of Captain Montgomery C. Meigs, 1853-1861", prepared under the direction of the Secretary of the Senate, in consultation with the Clerk of the House of Representatives and the Architect of the Capitol.

(b) SPECIFICATIONS.—The Senate document described in subsection (a) shall include illustrations and shall be in the style, form, manner, and binding as directed by the Joint Committee on Printing after consultation with the Secretary of the Senate.

(c) NUMBER OF COPIES.—In addition to the usual number of copies, there shall be printed with suitable binding the lesser of—

(1) 1,500 copies for the use of the Senate, the House of Representatives, and the Architect of the Capitol, to be allocated as determined by the Secretary of the Senate and the Clerk of the House of Representatives; or

(2) a number of copies that does not have a total production and printing cost of more than \$31,500.

SEC. 6. THE UNITED STATES CAPITOL: A CHRONICLE OF CONSTRUCTION, DESIGN, AND POLITICS.

(a) IN GENERAL.—There shall be printed as a Senate document the book entitled "The United States Capitol: A Chronicle of Construction, Design, and Politics", prepared by the Architect of the Capitol.

(b) SPECIFICATIONS.—The Senate document described in subsection (a) shall include illustrations and shall be in the style, form, manner, and binding as directed by the Joint Committee on Printing after consultation with the Secretary of the Senate.

(c) NUMBER OF COPIES.—In addition to the usual number of copies, there shall be printed with suitable binding the lesser of—

(1) 6,500 copies for the use of the Senate, the House of Representatives, and the Architect of the Capitol, to be allocated as determined by the Secretary of the Senate; or

(2) a number of copies that does not have a total production and printing cost of more than \$143,000.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. BOEHNER) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Concurrent Resolution 221, as amended by the Senate, authorizes the printing of six publications, of "How Our Laws Are Made"; "Our American Government"; the U.S. Constitution, the pocket-sized version; the U.S. Constitution, a document-sized version; the "Capitol Builder," which is a shorthand journal of Captain Montgomery C. Meigs; and the publication of the "U.S. Capitol: A Chronicle of Construction, Design and Politics."

The Senate amendment to the House resolution added both "The Capitol Builder" and "The U.S. Capitol" to the printing resolution.

The total cost from the GPO, their estimate for these publications, is approximately \$1.3 million. I would ask my colleagues to join with me in approving this resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. HOYER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as the gentleman from Ohio (Mr. BOEHNER) has explained, the House originally proposed the printing of four documents about our government, all of which Members and their constituents find extraordinarily useful.

By its amendment, the Senate has proposed the printing of two additional documents. I believe those documents are appropriately added, and I certainly urge Members to support this resolution.

Mr. Speaker, I yield back the balance of my time.

Mr. BOEHNER. Mr. Speaker, I thank my colleague from Maryland (Mr. HOYER), and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. BOEHNER) that the House suspend the rules and concur in the Senate amendment to the concurrent resolution, H. Con. Res. 221.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

PERMITTING USE OF CAPITOL ROTUNDA FOR CEREMONY COMMEMORATING VICTIMS OF HOLOCAUST

Mr. BOEHNER. Mr. Speaker, I move to suspend the rules and agree to the

concurrent resolution (H. Con. Res. 244) permitting the use of the Rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

The Clerk read as follows:

H. CON. RES. 244

Resolved by the House of Representatives (the Senate concurring). That the rotunda of the Capitol is authorized to be used on May 4, 2000, for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust. Physical preparations for the ceremony shall be carried out in accordance with such conditions as the Architect of the Capitol may prescribe.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. BOEHNER) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution authorizes the use of the Rotunda of the Capitol for the Holocaust Days of Remembrance ceremony. This ceremony will be on May 4, 2000.

The statute creating the U.S. Holocaust Memorial Council directs that the council shall provide for appropriate ways for the Nation to commemorate the Days of Remembrance as an annual, national, civic commemoration of the Holocaust, and shall encourage and sponsor appropriate observances of such Days of Remembrance throughout the United States.

The purpose of the Days of Remembrance is to ask citizens to reflect on the Holocaust, to remember the victims, and to strengthen our sense of democracy and human rights.

The event in the Rotunda of the Capitol is the centerpiece of similar Holocaust remembrance ceremonies that take place throughout the United States.

The first Days of Remembrance ceremonies in the Rotunda occurred in 1979 and has been an annual event except during the period when the Rotunda was undergoing repairs.

The theme of this year's commemoration is, and I will quote, "The Holocaust and the New Century: The Imperative to Remember."

I urge my colleagues to support the resolution.

Mr. Speaker, I reserve the balance of my time.

Mr. HOYER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am once again pleased to cosponsor this resolution with the gentleman from California (Mr. THOMAS), the gentleman from Ohio (Mr. BOEHNER), and others.

This resolution, as the gentleman from Ohio (Mr. BOEHNER) has pointed out, provides for the annual commemoration of the Holocaust on May 4 of this year.

Mr. Speaker, there is no occasion more important for the international

community and for humanity than to remember the tragedy that occurred in the 1930s and 1940s, the massive loss of life and the reality of man's inhumanity to man. It is appropriate, I believe, that we use the Rotunda, the location of so many historic events, again to draw attention and focus on one of the greatest tragedies in human history.

It reminds us, Mr. Speaker, that such events must never again be permitted to occur and that only through our vigilance will that be ensured.

The ceremony will be a part of the annual Days of Remembrance sponsored by the United States Holocaust Memorial Council. It is intended to encourage citizens to reflect on the Holocaust, to remember its victims and to strengthen our sense of democracy and human rights.

Mr. Speaker, I would observe that it is particularly important that succeeding generations who have largely grown up in a relatively peaceful world be called upon to remember this event. We have seen all too recently events similar in character, if not in scope, as we saw in Kosovo and in Bosnia. The gentleman from Virginia (Mr. WOLF) just mentioned Africa. The Holocaust is an event, a time in history, that we ought to remember so that successor generations never repeat it.

The theme of this year's Days of Remembrance is "The Holocaust and the New Century: The Imperative to Remember."

Mr. Speaker, I rise in strong support of this resolution and urge its adoption.

Mr. GILMAN. Mr. Speaker, I thank the gentleman for yielding. I want to commend the gentleman from California (Mr. THOMAS) for bringing this measure to the floor at this time.

The commemoration of the Holocaust is so important, and the fact that we do it here in the Capitol Building, in the Rotunda, is an extremely important reminder to the entire world of the importance that we place on the Holocaust.

Mr. Speaker, I am pleased to be able to support the House Concurrent Resolution, H. Con. Res. 244, authorizing the use of the Capitol Rotunda for a ceremony commemorating the victims of the Holocaust.

That important ceremony is scheduled to take place in the Capitol on April 13, 2000, from 8 a.m. to 3 p.m.

The passage of this resolution and the subsequent ceremony of the Days of Remembrance will provide the centerpiece of similar Holocaust remembrance ceremonies that take place throughout our Nation.

This day of remembrance will be a day of speeches, reading and musical presentation, and will provide the American people and those throughout the world an important day to study and to remember those who suffered and those who survived.

Mr. Speaker, it is important that we keep the memory of the Holocaust alive as part of our living history. As Americans, we can be proud of our efforts to liberate those who suffered and survived in the oppressive Nazi concentration camps. Let us never forget the harm that prejudice, oppression and hatred can cause.

Mr. HOYER. Mr. Speaker, I yield back the balance of my time.

Mr. BOEHNER. Mr. Speaker, I want to thank my colleague, the gentleman from Maryland (Mr. HOYER), for his support, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. BOEHNER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 244.

The question was taken.

Mr. BOEHNER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of the concurrent resolution just considered.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

PERMITTING OFFICIAL PHOTOGRAPHS OF HOUSE WHILE IN SESSION

Mr. BOEHNER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 407) permitting official photographs of the House of Representatives to be taken while the House is in actual session.

The Clerk read as follows:

H. RES. 407

Resolved, That at a time designated by the Speaker of the House of Representatives, official photographs of the House may be taken while the House is in actual session. Payment for the costs associated with taking, preparing, and distributing such photographs may be made from the applicable accounts of the House of Representatives.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. BOEHNER) and the gentleman from Maryland (Mr. HOYER) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. BOEHNER).

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Mr. BOEHNER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution is very straightforward and simply authorizes the use of the Chamber for a photo while we are in session. The Speaker would set the date for such photo and payment as authorized from the applicable accounts of the House.

As Members know, in the last session of Congress there was a photo taken of all of the Members of the House, some-

thing that was rather routine in sessions past, but over a period of 3 or 4 sessions it did not occur. Several years ago when this was done the Members were very supportive of the effort, and the Committee on House Administration voted for it. The Members thereof have suggested that the House take another photograph in this session.

Mr. Speaker, I reserve the balance of my time.

Mr. HOYER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, my staff behind me has suggested that Members should not forget to smile. I think it is appropriate that we take a picture of the House of Representatives and its Members on an annual basis, or at least once during every Congress. I think this is not only a substantial memento for those who have the great honor and privilege of serving here, but as well, an historical record of those who are here, and of course I rise in strong support of the resolution.

Mr. Speaker, I yield back the balance of my time.

Mr. BOEHNER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Ohio (Mr. BOEHNER) that is House suspend the rules and agree to the resolution, H. Res. 407.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

HILLORY J. FARIAS AND SAMANTHA REID DATE-RAPE DRUG PROHIBITION ACT OF 1999

Mr. UPTON. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 2130) to amend the Controlled Substances Act to add gamma hydroxybutyric acid and ketamine to the schedules of controlled substances, to provide for a national awareness campaign, and for other purposes.

The Clerk read as follows:

Senate amendments:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Hillory J. Farias and Samantha Reid Date-Rape Drug Prohibition Act of 1999".

SEC. 2. FINDINGS.

Congress finds as follows:

(1) Gamma hydroxybutyric acid (also called G, Liquid X, Liquid Ecstasy, Grievous Bodily Harm, Georgia Home Boy, Scoop) has become a significant and growing problem in law enforcement. At least 20 States have scheduled such drug in their drug laws and law enforcement officials have been experiencing an increased presence of the drug in driving under the influence, sexual assault, and overdose cases especially at night clubs and parties.

(2) A behavioral depressant and a hypnotic, gamma hydroxybutyric acid ("GHB") is being used in conjunction with alcohol and other drugs with detrimental effects in an increasing

number of cases. It is difficult to isolate the impact of such drug's ingestion since it is so typically taken with an ever-changing array of other drugs and especially alcohol which potentiates its impact.

(3) GHB takes the same path as alcohol, processes via alcohol dehydrogenase, and its symptoms at high levels of intake and as impact builds are comparable to alcohol ingestion/intoxication. Thus, aggression and violence can be expected in some individuals who use such drug.

(4) If taken for human consumption, common industrial chemicals such as gamma butyrolactone and 1,4-butanediol are swiftly converted by the body into GHB. Illicit use of these and other GHB analogues and precursor chemicals is a significant and growing law enforcement problem.

(5) A human pharmaceutical formulation of gamma hydroxybutyric acid is being developed as a treatment for cataplexy, a serious and debilitating disease. Cataplexy, which causes sudden and total loss of muscle control, affects about 65 percent of the estimated 180,000 Americans with narcolepsy, a sleep disorder. People with cataplexy often are unable to work, drive a car, hold their children or live a normal life.

(6) Abuse of illicit GHB is an imminent hazard to public safety that requires immediate regulatory action under the Controlled Substances Act (21 U.S.C. 801 et seq.).

SEC. 3. EMERGENCY SCHEDULING OF GAMMA HYDROXYBUTYRIC ACID AND LISTING OF GAMMA BUTYROLACTONE AS LIST I CHEMICAL.

(a) EMERGENCY SCHEDULING OF GHB.—

(1) IN GENERAL.—The Congress finds that the abuse of illicit gamma hydroxybutyric acid is an imminent hazard to the public safety. Accordingly, the Attorney General, notwithstanding sections 201(a), 201(b), 201(c), and 202 of the Controlled Substances Act, shall issue, not later than 60 days after the date of the enactment of this Act, a final order that schedules such drug (together with its salts, isomers, and salts of isomers) in the same schedule under section 202(c) of the Controlled Substances Act as would apply to a scheduling of a substance by the Attorney General under section 201(h)(1) of such Act (relating to imminent hazards to the public safety), except as follows:

(A) For purposes of any requirements that relate to the physical security of registered manufacturers and registered distributors, the final order shall treat such drug, when the drug is manufactured, distributed, or possessed in accordance with an exemption under section 505(i) of the Federal Food, Drug, and Cosmetic Act (whether the exemption involved is authorized before, on, or after the date of the enactment of this Act), as being in the same schedule as that recommended by the Secretary of Health and Human Services for the drug when the drug is the subject of an authorized investigational new drug application (relating to such section 505(i)). The recommendation referred to in the preceding sentence is contained in the first paragraph of the letter transmitted on May 19, 1999, by such Secretary (acting through the Assistant Secretary for Health) to the Attorney General (acting through the Deputy Administrator of the Drug Enforcement Administration), which letter was in response to the letter transmitted by the Attorney General (acting through such Deputy Administrator) on September 16, 1997. In publishing the final order in the Federal Register, the Attorney General shall publish a copy of the letter that was transmitted by the Secretary of Health and Human Services.

(B) In the case of gamma hydroxybutyric acid that is contained in a drug product for which an application is approved under section 505 of the Federal Food, Drug, and Cosmetic Act (whether the application involved is approved before, on, or after the date of the enactment of this Act), the final order shall schedule such drug in the same schedule as that recommended by the Secretary of Health and Human Services

for authorized formulations of the drug. The recommendation referred to in the preceding sentence is contained in the last sentence of the fourth paragraph of the letter referred to in subparagraph (A) with respect to May 19, 1999.

(2) **FAILURE TO ISSUE ORDER.**—If the final order is not issued within the period specified in paragraph (1), gamma hydroxybutyric acid (together with its salts, isomers, and salts of isomers) is deemed to be scheduled under section 202(c) of the Controlled Substances Act in accordance with the policies described in paragraph (1), as if the Attorney General had issued a final order in accordance with such paragraph.

(b) **ADDITIONAL PENALTIES RELATING TO GHB.**—

(1) **CONTROLLED SUBSTANCES ACT.**—

(A) **IN GENERAL.**—Section 401(b)(1)(C) of the Controlled Substances Act (21 U.S.C. 841(b)(1)(C)) is amended in the first sentence by inserting after “schedule I or II,” the following: “gamma hydroxybutyric acid (including when scheduled as an approved drug product for purposes of section 3(a)(1)(B) of the Hillory J. Farias and Samantha Reid Date-Rape Drug Prohibition Act of 1999),”.

(B) **CONFORMING AMENDMENT.**—Section 401(b)(1)(D) of the Controlled Substances Act (21 U.S.C. 841(b)(1)(D)) is amended by striking “, or 30” and inserting “(other than gamma hydroxybutyric acid), or 30”.

(2) **CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT.**—

(A) **IN GENERAL.**—Section 1010(b)(3) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)(3)) is amended in the first sentence by inserting after “I or II,” the following: “gamma hydroxybutyric acid (including when scheduled as an approved drug product for purposes of section 3(a)(1)(B) of the Hillory J. Farias and Samantha Reid Date-Rape Drug Prohibition Act of 1999),”.

(B) **CONFORMING AMENDMENT.**—Section 1010(b)(4) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)(4)) is amended by striking “flunitrazepam” and inserting the following: “flunitrazepam and except a violation involving gamma hydroxybutyric acid”.

(c) **GAMMA BUTYROLACTONE AS ADDITIONAL LIST I CHEMICAL.**—Section 102(34) of the Controlled Substances Act (21 U.S.C. 802(34)) is amended—

(1) by redesignating subparagraph (X) as subparagraph (Y); and

(2) by inserting after subparagraph (W) the following subparagraph:

“(X) Gamma butyrolactone.”.

SEC. 4. AUTHORITY FOR ADDITIONAL REPORTING REQUIREMENTS FOR GAMMA HYDROXYBUTYRIC PRODUCTS IN SCHEDULE III.

Section 307 of the Controlled Substances Act (21 U.S.C. 827) is amended by adding at the end the following:

“(h) In the case of a drug product containing gamma hydroxybutyric acid for which an application has been approved under section 505 of the Federal Food, Drug, and Cosmetic Act, the Attorney General may, in addition to any other requirements that apply under this section with respect to such a drug product, establish any of the following as reporting requirements:

“(1) That every person who is registered as a manufacturer of bulk or dosage form, as a packager, repackager, labeler, relabeler, or distributor shall report acquisition and distribution transactions quarterly, not later than the 15th day of the month succeeding the quarter for which the report is submitted, and annually report end-of-year inventories.

“(2) That all annual inventory reports shall be filed no later than January 15 of the year following that for which the report is submitted and include data on the stocks of the drug product, drug substance, bulk drug, and dosage forms on hand as of the close of business December 31, indicating whether materials reported are in storage or in process of manufacturing.

“(3) That every person who is registered as a manufacturer of bulk or dosage form shall report all manufacturing transactions both inventory increases, including purchases, transfers, and returns, and reductions from inventory, including sales, transfers, theft, destruction, and seizure, and shall provide data on material manufactured, manufactured from other material, use in manufacturing other material, and use in manufacturing dosage forms.

“(4) That all reports under this section must include the registered person’s registration number as well as the registration numbers, names, and other identifying information of vendors, suppliers, and customers, sufficient to allow the Attorney General to track the receipt and distribution of the drug.

“(5) That each dispensing practitioner shall maintain for each prescription the name of the prescribing practitioner, the prescribing practitioner’s Federal and State registration numbers, with the expiration dates of these registrations, verification that the prescribing practitioner possesses the appropriate registration to prescribe this controlled substance, the patient’s name and address, the name of the patient’s insurance provider and documentation by a medical practitioner licensed and registered to prescribe the drug of the patient’s medical need for the drug. Such information shall be available for inspection and copying by the Attorney General.

“(6) That section 310(b)(3) (relating to mail order reporting) applies with respect to gamma hydroxybutyric acid to the same extent and in the same manner as such section applies with respect to the chemicals and drug products specified in subparagraph (A)(i) of such section.”.

SEC. 5. CONTROLLED SUBSTANCES ANALOGUES.

(a) **RULE OF CONSTRUCTION REGARDING CONTROLLED SUBSTANCE ANALOGUES.**—Section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32)) is amended—

(1) in subparagraph (A), by striking “subparagraph (B)” and inserting “subparagraph (C)”;

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph (B):

“(B) The designation of gamma butyrolactone or any other chemical as a listed chemical pursuant to paragraph (34) or (35) does not preclude a finding pursuant to subparagraph (A) of this paragraph that the chemical is a controlled substance analogue.”.

(b) **DISTRIBUTION WITH INTENT TO COMMIT CRIME OF VIOLENCE.**—Section 401(b)(7)(A) of the Controlled Substances Act (21 U.S.C. 841(b)(7)(A)) is amended by inserting “or controlled substance analogue” after “distributing a controlled substance”.

SEC. 6. DEVELOPMENT OF MODEL PROTOCOLS, TRAINING MATERIALS, FORENSIC FIELD TESTS, AND COORDINATION MECHANISM FOR INVESTIGATIONS AND PROSECUTIONS RELATING TO GAMMA HYDROXYBUTYRIC ACID, OTHER CONTROLLED SUBSTANCES, AND DESIGNER DRUGS.

(a) **IN GENERAL.**—The Attorney General, in consultation with the Administrator of the Drug Enforcement Administration and the Director of the Federal Bureau of Investigation, shall—

(1) develop—

(A) model protocols for the collection of toxicology specimens and the taking of victim statements in connection with investigations into and prosecutions related to possible violations of the Controlled Substances Act or other Federal or State laws that result in or contribute to rape, other crimes of violence, or other crimes involving abuse of gamma hydroxybutyric acid, other controlled substances, or so-called “designer drugs”; and

(B) model training materials for law enforcement personnel involved in such investigations; and

(2) make such protocols and training materials available to Federal, State, and local personnel responsible for such investigations.

(b) **GRANT.**—

(1) **IN GENERAL.**—The Attorney General shall make a grant, in such amount and to such public or private person or entity as the Attorney General considers appropriate, for the development of forensic field tests to assist law enforcement officials in detecting the presence of gamma hydroxybutyric acid and related substances.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as may be necessary to carry out this subsection.

(c) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall submit to the Committees on the Judiciary of the Senate and House of Representatives a report on current mechanisms for coordinating Federal, State, and local investigations into and prosecutions related to possible violations of the Controlled Substances Act or other Federal or State laws that result in or contribute to rape, other crimes of violence, or other crimes involving the abuse of gamma hydroxybutyric acid, other controlled substances, or so-called “designer drugs”. The report shall also include recommendations for the improvement of such mechanisms.

SEC. 7. ANNUAL REPORT REGARDING DATE-RAPE DRUGS; NATIONAL AWARENESS CAMPAIGN.

(a) **ANNUAL REPORT.**—The Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall periodically submit to Congress reports each of which provides an estimate of the number of incidents of the abuse of date-rape drugs (as defined in subsection (c)) that occurred during the most recent one-year period for which data are available. The first such report shall be submitted not later than January 15, 2000, and subsequent reports shall be submitted annually thereafter.

(b) **NATIONAL AWARENESS CAMPAIGN.**—

(1) **DEVELOPMENT OF PLAN; RECOMMENDATIONS OF ADVISORY COMMITTEE.**—

(A) **IN GENERAL.**—The Secretary, in consultation with the Attorney General, shall develop a plan for carrying out a national campaign to educate individuals described in subparagraph (B) on the following:

(i) The dangers of date-rape drugs.

(ii) The applicability of the Controlled Substances Act to such drugs, including penalties under such Act.

(iii) Recognizing the symptoms that indicate an individual may be a victim of such drugs, including symptoms with respect to sexual assault.

(iv) Appropriately responding when an individual has such symptoms.

(B) **INTENDED POPULATION.**—The individuals referred to in subparagraph (A) are young adults, youths, law enforcement personnel, educators, school nurses, counselors of rape victims, and emergency room personnel in hospitals.

(C) **ADVISORY COMMITTEE.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall establish an advisory committee to make recommendations to the Secretary regarding the plan under subparagraph (A). The committee shall be composed of individuals who collectively possess expertise on the effects of date-rape drugs and on detecting and controlling the drugs.

(2) **IMPLEMENTATION OF PLAN.**—Not later than 180 days after the date on which the advisory committee under paragraph (1) is established, the Secretary, in consultation with the Attorney General, shall commence carrying out the national campaign under such paragraph in accordance with the plan developed under such paragraph. The campaign may be carried out directly by the Secretary and through grants and contracts.

(3) **EVALUATION BY GENERAL ACCOUNTING OFFICE.**—Not later than two years after the date

on which the national campaign under paragraph (1) is commenced, the Comptroller General of the United States shall submit to Congress an evaluation of the effects with respect to date-rape drugs of the national campaign.

(c) **DEFINITION.**—For purposes of this section, the term “date-rape drugs” means gamma hydroxybutyric acid and its salts, isomers, and salts of isomers and such other drugs or substances as the Secretary, after consultation with the Attorney General, determines to be appropriate.

SEC. 8. SPECIAL UNIT IN DRUG ENFORCEMENT ADMINISTRATION FOR ASSESSMENT OF ABUSE AND TRAFFICKING OF GHB AND OTHER CONTROLLED SUBSTANCES AND DRUGS.

(a) **ESTABLISHMENT.**—Not later than 60 days after the date of the enactment of this Act, the Attorney General shall establish within the Operations Division of the Drug Enforcement Administration a special unit which shall assess the abuse of and trafficking in gamma hydroxybutyric acid, flunitrazepam, ketamine, other controlled substances, and other so-called “designer drugs” whose use has been associated with sexual assault.

(b) **PARTICULAR DUTIES.**—In carrying out the assessment under subsection (a), the special unit shall—

(1) examine the threat posed by the substances and drugs referred to in that subsection on a national basis and regional basis; and

(2) make recommendations to the Attorney General regarding allocations and reallocations of resources in order to address the threat.

(c) **REPORT ON RECOMMENDATIONS.**—

(1) **REQUIREMENT.**—Not later than 180 days after the date of the enactment of this Act, the Attorney General shall submit to the Committees on the Judiciary of the Senate and House of Representatives a report which shall—

(A) set forth the recommendations of the special unit under subsection (b)(2); and

(B) specify the allocations and reallocations of resources that the Attorney General proposes to make in response to the recommendations.

(2) **TREATMENT OF REPORT.**—Nothing in paragraph (1) may be construed to prohibit the Attorney General or the Administrator of the Drug Enforcement Administration from making any reallocation of existing resources that the Attorney General or the Administrator, as the case may be, considers appropriate.

SEC. 9. TECHNICAL AMENDMENT.

Section 401 of the Controlled Substances Act (21 U.S.C. 841) is amended by redesignating subsections (d), (e), (f), and (g) as subsections (c), (d), (e), and (f), respectively.

Amend the title so as to read: “An Act to amend the Controlled Substances Act to direct the emergency scheduling of gamma hydroxybutyric acid, to provide for a national awareness campaign, and for other purposes.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. UPTON).

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous matter on this legislation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today to ask my colleagues to join me in supporting the passage of H.R. 2130, the Hillory J. Farias and Samantha Reid Date-Rape Drug Prohibition Act.

As you may recall, the House initially approved this legislation last October on a vote of 423 to 1. This evening we will vote on this legislation as amended by the Senate, and if the legislation is approved, it will go straight to the President to be signed into law.

The legislation we are considering today will amend the Controlled Substances Act to put GHB, a dangerous and sometimes fatal drug used to facilitate sexual assaults, in schedule 1 of the Controlled Substances Act, the most tightly regulated category of drugs with the strongest penalties for misuse.

It will also clamp tight controls on GBL, a precursor to GHB that is itself being used to facilitate sexual assaults.

This legislation is desperately needed. The abuse, trafficking, and diversion of GHB is rapidly increasing. The Drug Enforcement Administration has documented nearly 6,000 encounters of GHB. Deaths from the drug are escalating rapidly, from one in 1990 to 17 last year, for a total of 58 deaths. Emergency room episodes resulting from the use of the drug are also escalating rapidly, from 20 in 1992 to 762 in 1997, the last year for which data is available, for a total of more than 1,600 episodes.

Sadly, these numbers are reflecting only the tip of an iceberg. GHB is difficult to detect, almost impossible, in the body, within a few hours of its being ingested. Many law enforcement officers and emergency room personnel are not trained to look for it.

As an example, I heard from one source in Kansas City that they suspected thousands of date rape and drug abuse cases in the greater Kansas City region since 1993. The legislation before us was sparked by the death of two young, wonderful women, one in Texas and one in Michigan, whose drinks were spiked with GHB. Since then, five more women have died in Texas and another two in Michigan. We must act now before this tragic toll rises any further.

The FDA has issued consumer warnings about products containing GBL, which converts to GHB, when ingested in dietary supplements, and has asked companies marketing products containing GBL to recall them.

In August of last year the FDA sent a message to help professionals across the country, asking them to report adverse events associated with the consumption of these products. Since then, the agency has received 122 reports of serious adverse reactions, such as dangerously low respiration rates which may require intubation, unconsciousness, coma, seizures, irregular heartbeat, and yes, death.

Just this last month, as you may have read, Phoenix Suns player Tom Gugliotta suffered a seizure that

caused him to stop breathing after taking an over-the-counter herbal supplement containing GBL. Similarly, a 16-year-old Peoria, Illinois high school student collapsed during a school gym class after taking a product containing GBL. He lost consciousness, stopped breathing, and had to be resuscitated by paramedics.

The Senate amended H.R. 2130 to further develop and strengthen the Department of Justice's focus on GHB and to provide for the development of forensic field tests for the detection of this substance. In all other respects, the Senate amendments have had the same effect as the legislation that we passed here in the House in October.

I wish to express my appreciation for the help of so many of my colleagues, the gentleman from Michigan (Mr. STUPAK), the gentlewoman from Texas (Ms. JACKSON-LEE), the gentleman from Florida (Mr. BILIRAKIS), and the gentleman from Virginia (Chairman BLILEY), the help that they have given in getting us to this point, and for the leadership of the Senate, particularly Senator ABRAHAM and Senator HATCH, in steering this legislation for Senate approval. This has been a bipartisan effort from day number one.

With all my heart, as the father of a daughter and son, I ask that the House approve this legislation tonight and send it to the President. Let us do this for all of our sons and daughters, who are at grave risk so long as these substances are so readily available.

Mr. Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a Member of the Committee on the Judiciary, the Subcommittee on Crime, I am delighted to join my colleague, the gentleman from Michigan (Mr. UPTON), a member of the Committee on Commerce, and thank him for his leadership.

In fact, his leadership was so strong that he was making sure that as I came in and landed at Reagan National, that I would hurry on, and I got here timely. I thank him very much for that.

This has been a very long journey, and the one thing that we can applaud, Mr. Speaker, is that we have worked together, the Committee on Commerce, the Committee on the Judiciary, and we have answered the call of so many victims, now I am told almost between 40 to 50 who have died.

There was an anecdotal story of a Texas young woman who begged for help, explaining that her whole body hurt so much that the only way to stop it is to take more GHB but she wanted desperately to quit. She had actually died two times on GHB and was brought back by paramedics. She was raped while on GHB. She had not reported it because she felt it was her fault for getting high.

I am gratified that Members of the Committee on Commerce, the gentlemen from Michigan, Mr. UPTON and Mr.

STUPAK, and the gentleman from Virginia (Mr. BLILEY) and I introduced this bipartisan bill, the Hillory J. Farias Samantha Reid Date Rape Prevention Act of 1999.

Mr. Speaker, I am also grateful to the ranking member, the gentleman from Michigan (Mr. DINGELL), the gentleman from Ohio (Mr. BROWN), the gentleman from Florida (Mr. BILIRAKIS); members of my committee, the gentleman from Florida (Mr. MCCOLLUM), the gentleman from Virginia (Mr. SCOTT), the gentleman from Illinois (Mr. HYDE), and the gentleman from Michigan (Mr. CONYERS). This was a bipartisan effort.

I am looking forward for this bill to be supported by my colleagues, and, as well, to go quickly to the desk of the President of the United States.

This is a victory for those of us who are concerned about date rape drugs. This drug, GHB, has been used in innumerable rapes around the country and has been implicated, as I have said, in at least 40 to 50 deaths. In addition to date rape, this drug is very popular on the party scene in many cities, and it is widely abused.

I was prompted to act to control the illicit use of GHB 3 years ago because of the death of Hillory J. Farias of LaPorte, Texas, on August 5, 1996. Our community was dumbfounded, baffled. I introduced a GHB bill in 1997, and have continued to advocate for its passage to prevent more women from being victimized by date rape drugs.

Hillory Farias was a 17-year-old high school senior, a model student and varsity volleyball player who died as a result of GHB being slipped into her soft drink. She was not a drug user.

Hillory and two other girlfriends went out to a club where they consumed only soft drinks. At some point during the evening GHB was slipped into Hillory's drink. Soon afterwards she complained of feeling sick with a severe headache. She went home to bed, but the next morning Hillory was found by her grandmother unconscious and unresponsive. She was rushed to the hospital where she later died, never resuming consciousness.

Unfortunately, Hillory's death was not the only tragedy of this drug. My office has been contacted by the families of several victims of the drug since March of last year. In January, 1999, 15-year-old Samantha, a young lady from Michigan, died as a result of this drug being put in her soda while out with friends. Another 14-year-old girl was also poisoned with GHB and went into a coma. Four young men will go on trial for Samantha's murder this year. On January 2, Samantha would have been 16 years old.

Her death prompted other Members from the Michigan delegation to become interested in this issue, and thus this legislation is named for both of these young women whose lives were cut short by this drug. There is also another incident in Michigan where 14 teenagers at a party ingested GHB and

lapsed into comas during the Fourth of July holiday last year.

In addition to the tragic stories of Hillory and Samantha, my office was contacted by the office of the gentleman from New York (Mr. LAFALCE) with the story of Kerri Breton from Syracuse, New York, who also died from this drug being slipped into her drink. Ms. Breton was away on a business trip and was having a drink in a hotel bar with a colleague. She was found next day dead on the bathroom floor of her hotel room. Her stepfather shared this painful story in the hope it would alert others to the dangers of this drug.

Mr. Speaker, this drug is not a respecter of any age. You do not have to be very smart, you do not have to be unsmart, if you will; you do not have to be educated or uneducated; you do not have to be rich or poor. This is a drug that respects no one and causes the loss of life of wonderful human beings.

A young man from the Chicago area overdosed and almost died last September. He was using the drug because he wanted to be a bodybuilder. Just recently I received more information about young people who are addicted to this drug. In Texas there is a young woman who was addicted to GHB and clinically died twice.

In addition, these tragedies underscore the importance of this legislation. All of these incidents among young people are stronger evidence that this drug has a high potential for abuse and must be placed on the schedule for the Controlled Substances Act.

A few months ago during the summer there was a rave party in California up in the mountains. Those who attended were alleged to have taken GHB, as has been noted by these rave parties that have gone on. A car loaded with young people went over the side of the mountain. Of course, they lost their lives leaving the rave party.

Without this bill, illicit use of GHB would increase dramatically. There are undoubtedly other deaths that may not have been classified as GHB-related because the drug is not part of the standard toxicology screen. That is why we are very grateful for this bill, that includes part of the responsibilities of FDA and the Justice Department, so that we will have those kinds of tools for law enforcement to utilize.

In addition, GHB has been used to render victims helpless to defend against an attack, and it even erases any memory of the attack. That is why it has been so difficult to prove rape.

As a drug of abuse, GHB is ingested orally after being mixed in a liquid. The onset of action is rapid and unconsciousness can occur in as little as 15 minutes. Profound coma can occur within 30 to 40 minutes after ingestion. GHB has also been used by drug abusers for its alleged hallucinogenic effects, and by bodybuilders.

I believe by classifying this drug now, we send a strong message to those

who would use this drug and its analogs to commit crimes against women and others. In addition to being used for date rape, this drug is being used at alarming rates among young people.

However, my position does not mean I am insensitive to the concerns of patients who might be helped by this drug. This drug has shown some benefits to patients with a specific form of narcolepsy in clinical trials, those who suffer from sleeping sickness, and for those uses during trials to try to cure that disease.

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There is a possibility that GHB can be used for the treatment of such diseases. We want that to occur, because it is a rare disorder. We believe that this bill matches the medicinal needs along with the needs to protect our citizens from the devastation of illegal use of GHB, known to be made in bathtubs in large amounts.

The distribution of this drug would be strictly controlled to ensure that only patients in need of this drug would have access. This bill also provides for a grant by the Department of Justice to research a forensic test to assist law enforcement in detecting GHB on the street, one of our major problems in making the cases. This would improve the ability to prosecute date rape and other crimes involving this substance.

Mr. Speaker, this bill reaches a compromise; and I am glad. And as I stated earlier, we have been working a long time to pass this bill and to schedule this drug, because I do not want to see any more lives cut short by GHB.

I thank all the people who were involved in this. One of my sources for information was Trinka Porrata, a retired member of the Los Angeles Police Department. She has been a steady voice explaining to all of us that GHB is dangerous and can be devastating and causes the loss of lives. I thank Trinka for working with my staff for the past 3 years and coming to Washington, D.C. to testify twice in this journey that we have made.

Mr. Speaker, I would also like to thank the Farias family, her uncles and grandparents, for sharing their story to help us inform others about this drug. They did not need to come forward, but they did. I thank them for their courage.

I thank as well, Harris County Medical Examiner, Dr. Joy Carter, who was the one who discovered what was the cause of, of course, Hillory's death. And I would like to thank Samantha Reid's mother for support of our efforts.

Of course, I want to take note of the Senate's leadership as well; the families of other victims who have shared this devastation; and my colleagues, the gentleman from Michigan (Mr. UPTON), the gentleman from Michigan (Mr. STUPAK), the gentleman from Michigan (Mr. DINGELL), and Senator

ABRAHAM and the other members of the Michigan delegation, and the gentlewoman from Michigan (Ms. STABENOW) for showing interest in this issue as well.

I would like to take time to thank the staff members of the Committee on Commerce for their hard work, especially John Ford with the minority staff and John Manthel with the majority staff. I would also like to thank Members of the Committee on the Judiciary for their work on this issue last year and this year, as I mentioned the gentleman from Virginia (Mr. SCOTT), the gentleman from Michigan (Mr. CONYERS), the gentleman from Florida (Mr. MCCOLLUM) and the gentleman from Illinois (Chairman HYDE). In 1998, we had a hearing on this issue in the Subcommittee on Crime and it shed a lot of light on date rape and the illicit use of GHB.

Often, they say that our two committees find it difficult to find compromise. I am very pleased to stand here today and acknowledge that they have. I also thank the staff members who worked on this as well in my office, Deena Maerowitz, Ayanna Hawkins, and Leon Buck. Finally, I thank all of those who are victims but yet still living. And let me promise the young people and others of the future that with the passage of this GHB legislation, we look to save more lives and I ask the President to sign this bill as quickly as possible.

I am pleased to stand here today in strong support of the Hillory J. Farias and Samantha Reid Date Rape Prevention Act of 1999. Last summer, I joined my Colleagues on the Commerce Committee, Representatives UPTON, STUPAK, and BLILEY, to introduce this bipartisan bill. I have waited a long time for this day, and I look forward to the next step for this legislation, which is getting President Clinton to sign this into law.

This day has been a long time coming, but it is a victory for those of us who are concerned about date rape drugs. This drug, GHB (Gamma Hydroxy-butyrate) has been used in innumerable rapes around the country and has been implicated in at least 40 deaths. In addition to date rape, this drug is very popular on the party scene in many cities and it is widely abused.

I was prompted to act to control the illicit use of GHB three years ago because of the death of Hillory J. Farias, of Laporte, Texas on August 5, 1996. I introduced a GHB bill in 1997 and I have continued to advocate for its passage to prevent more women from being victimized by date rape drugs.

Hillory Farias was a 17-year-old high school senior, model student and varsity volleyball player who died as a result of GHB slipped into her soft drink.

Hillory and two of her girlfriends went out to a club where they consumed only soft drinks. At some point during the evening, GHB was slipped into Hillory's drink and soon afterwards, Hillory complained of feeling sick with a severe headache.

She went home to bed, but the next morning, Hillory was found by her grandmother unconscious and unresponsive. Hillory was rushed to the hospital where she later died.

Unfortunately, Hillory's death was not the only tragedy of this drug. My office has been contacted by the families of several victims of this drug since March of last year.

In January 1999, 15 year old Samantha Reid, a young lady from Michigan, died as a result of this drug being put in her soda while out with friends. Another 14 year old girl who was also poisoned with GHB went into a coma.

Four young men will go on trial for Samantha's murder this year. On January 2, Samantha would have been 16 years old.

Samantha's death prompted other Members from the Michigan delegation to become interested in this issue and thus, this legislation is named for both of these young women whose lives were cut short by this drug. There was also another incident in Michigan where four teenagers at a party ingested GHB and lapsed into comas during the Fourth of July holiday last year.

In addition to the tragic stories of Hillory and Samantha, my office was contacted by Representative LAFALCE's office with the story of Kerri Breton, from Syracuse, New York who also died from this drug being slipped into her drink.

Ms. Breton was away on a business trip and was having a drink in the hotel bar with a colleague. She was found the next day dead on the bathroom floor of her hotel room. Her stepfather shared this painful story in hope that it would alert others to the dangers of this drug.

A young man from the Chicago area overdosed and almost died last September. He was a bodybuilder who had abused drugs for years. The doctors and law enforcement officials in the Chicago area did not know anything about GHB. If his sister had not been around when he lost consciousness, he would have surely died. She called my office to share the painful account of how her family almost had to prepare for her brother's death.

Just recently, I received more information about young people who are addicted to this drug. In Texas, there was a young woman who was addicted to GHB and clinically died twice.

She was also raped while on GHB, but she did not report it to the police because she felt that it was her fault for getting high. She is now in the process of rebuilding her life through a drug detox program.

These tragedies underscore the importance of this legislation. All of these incidents among young people are strong evidence that this drug has a high potential for abuse and must be placed on the schedule for the Controlled Substances Act.

Without this bill, illicit use of GHB would increase dramatically. There are undoubtedly other deaths that may not have been classified as GHB-related because the drug is not a part of a standard toxicology screen. So far, there have been close to 50 confirmed deaths.

GHB has been used to render victims helpless to defend against attack and it even erases any memory of the attack. The recipe for this drug and its analogs can be accessed on the Internet. Currently, GHB is not legally produced in the United States. It is being smuggled across our borders or it is being illegally created here by "bathtub" chemists.

As a drug of abuse, GHB is generally ingested orally after being mixed in a liquid. The onset of action is rapid, and unconsciousness

can occur in as little as 15 minutes. Profound coma can occur within 30 to 40 minutes after ingestion.

GHB has also been used by drug abusers for its alleged hallucinogenic effects and by bodybuilders who abuse GHB for an anabolic agent or as a sleep aid.

I believe that by classifying this drug now, we send a strong message to those who would use this drug and its analogs to commit crimes against women. In addition to being used for date rape, this drug is being abused at alarming rates among young people.

However, my position on the illicit use of GHB does not mean that I am insensitive to the concerns of patients that might be helped with this drug. This drug has shown some benefits to patients with a specific form of narcolepsy in clinical trials.

There is a possibility that GHB can be developed for the treatment of cataplexy, a rare form of narcolepsy. Cataplexy is a rare disorder that causes sudden and total loss of muscle control. People with cataplexy are unable to work, drive or lead a normal life. Like my colleagues, I understand the situation that affects these patients and I am sensitive to their need for treatment of that disorder.

This bill reflects a compromise that takes into account the needs of the patient group and the needs of law enforcement. This bill enables law enforcement to prosecute anyone who abuses GHB to the full extent of the law by placing the drug on Schedule I of the Controlled Substances Act.

Scheduling GHB on the Federal Controlled Substances Act allows prosecutors to punish anyone who uses a scheduled drug in any sexual assault crime to suffer penalties under the Drug Induced Rape Prevention and Punishment Act. This bill would increase the sentence for someone using GHB to commit a sex crime to 20 years imprisonment.

However, this bill protects people with cataplexy by providing an exemption for those enrolled in clinical trials now, and later it re-schedules the drug once it has been approved by the FDA.

The distribution of the drug would be strictly controlled to ensure that only patients in need of this drug would have access to it. Any illicit use of GHB would result in the enhanced sentence penalties.

This bill also provides for a grant by the Department of Justice to research a forensic test to assist law enforcement in detecting GHB on the street. This would improve the ability to prosecute date rape and other crimes involving this substance. This provision provides law enforcement with a crucial tool in fighting this drug on the street.

This bill reaches a compromise that will benefit the patients who desperately need this drug for treatment and law enforcement agencies that need the tools to fight the use of this drug among young people.

As I stated earlier, I have been working to pass legislation to schedule this drug for a long time now because I do not want to see any more young lives cut short by GHB. There are many people who have been resources to my staff these years and I would like to thank them publicly for their work.

I would like to thank all of the people who have been involved with this process from the beginning and who provided me with information about this drug. One of my sources for information was Trinkia Porrata, a retired member of the Los Angeles police department. She has been a strong advocate for this legislation.

Trinka has worked with my staff for the past three years on this legislation. She has come to Washington to testify twice and she has been a valuable resource of information on how this drug has become popular on the street.

I would like to thank the Farias family for sharing their story to help us inform others about this drug. Their tragedy and loss cannot be overlooked and I appreciate their patience with us. We have worked closely with Hillory's family and the Harris County medical examiner, Dr. Joy Carter, since I first introduced this bill.

I would also like to thank Samantha Reid's mother for her support of our efforts as well. Last year when this bill came to the floor, she vowed to call everyone she could to see it pass, and I thank her for her willingness to turn her tragedy into action to help save other lives.

I would also like to thank the families of the other victims who have shared their stories with us as well. With the passage of this bill today, I hope that there will be some comfort brought to those families that their loved ones did not die or suffer in vain.

I thank my colleagues from Michigan—Representatives UPTON, STUPAK, and DINGELL—as well as Senator ABRAHAM who were instrumental in moving this legislation in memory of these young women. I would also like to thank my other colleagues on the Commerce Committee for helping to move this legislation through that Committee—Representatives BLILEY and BILIRAKIS.

I would also like to thank the staff members at the Commerce Committee for their hard work, especially John Ford with the Minority staff and John Manthei with the Majority staff.

I would also like to thank the Members of the Judiciary Committee for their work on this issue last year and this year—especially Representatives SCOTT, CONYERS, MCCOLLUM, and Chairman HYDE. In 1998 we had a hearing on this issue in the Crime Subcommittee and it shed a lot of light on the issue of date rape and illicit drug abuse of GHB.

Finally, I would like to thank my staff for their hard work on this issue. Again, I thank my colleagues for their support of this legislation.

Mr. Speaker, I was expecting another speaker, but I believe the travel difficulties have delayed this person's arrival, so I yield back the balance of my time.

Mr. UPTON. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I would like to say with the passage of this bill tonight, we will certainly end a nightmare that no family ever wants to experience, whether it be in Texas, Michigan, California, or any of the other 50 States.

I want to particularly commend the hard work and diligence of all Members on this legislation. It was about a year ago that our subcommittee first became involved in this, moving from the good work that had been done in the Committee on the Judiciary from a previous Congress. We quickly discovered that, in fact, the laws were too loose, the loopholes ought to be closed. Sadly, we still saw deaths even when that information became public.

Mr. Speaker, these drugs are available on the Internet. It has to stop.

This bill does that. I look forward to working with all Members tonight to make sure that this is passed and, obviously, with the administration as they have indicated that they are going to support this legislation as well.

Mr. BILIRAKIS. Mr. Speaker, I rise in strong support of H.R. 1230, "The Hillory J. Farias Date Rape Prevention Drug Act of 1999." This important, bipartisan legislation was unanimously approved by my Health and Environment Subcommittee in July of last year, and the House passed the bill in October. Today, the House will consider the Senate-passed version of this legislation, and I urge my colleagues to support this measure.

H.R. 2130 was introduced by Representative FRED UPTON, joined by Representatives TOM BLILEY, BART STUPAK and SHEILA JACKSON-LEE. The bill amends the Controlled Substances Act to make GHB a Schedule I drug, the DEA's most intensively regulated category of drugs. GHB is a central nervous system depressant that has been abused to assist in the commission of sexual assaults.

As a further protection, H.R. 2130 lists GBL, the primary precursor used in the production of GHB, as a List I chemical. These compounds—GHB and GBL—are more commonly known as "date-rape" drugs.

The bill before us includes language designed to protect very important and promising research on an orphan drug that contains GHB and is used in the treatment of narcolepsy patients. These provisions were adopted as an amendment when the bill was considered by my Health and Environment Subcommittee.

I urge my colleagues to join me in supporting passage of H.R. 2130.

Mr. STUPAK. Mr. Speaker, I rise in strong support of passage of H.R. 2130, the Hillory J. Farias Date Rape Prevention Act. In October, this House overwhelmingly passed this legislation and I urge my colleagues to do so again today.

As many of my colleagues know, I have long been concerned with the problem of drug abuse and date rape. In addition to other efforts, I am an original co-sponsor of H.R. 2130, the legislation we are considering here today. H.R. 2130, as amended, is the product of a compromise worked out by numerous parties in the Commerce Committee, Judiciary Committee and the Senate to address the concerns and needs of both law enforcement and patients.

I am sure that all the members of this body have heard or read about the terrible incidents surrounding GHB. GHB has been widely used by nefarious individuals to help commit date rapes. It has been widely abused by teenagers seeking an easily available illicit substance. GHB is one of the first drugs in which the recipe for manufacture at home was widely available over the Internet. People were literally cooking up the drug in their house by obtaining the ingredients and instructions over the Internet. H.R. 2130 addressed this issue by requiring tracking and reporting of possible misuse of GBL and other precursor chemicals. By requiring the Drug Enforcement Agency to schedule GHB, we will be giving the DEA strong controls over the drug and allowing them to combat the rampant abuse of this drug which we are currently seeing.

Finally, the bill requires the Department of Justice to develop a forensic test to aid law

enforcement officials in determining when GHB or a GHB-related compound is involved in a criminal activity. This will be helpful to law enforcement officials who currently have no way of determining GHB's involvement in a crime or situation without laboratory testing.

However, this bill recognizes that well-designed legislative efforts should not throw the baby out with the bathwater, so to speak. By this, I mean that the abusive use of GHB we have been focusing on should not prevent possible legitimate or beneficial uses of the drug.

For example, GHB has shown considerable promise for the treatment of narcolepsy. Specifically, this drug could benefit the approximately 30,000 people who suffer with a form of cataplexy, or the sudden loss of muscle control. Good public policy recognizes these patients and the important research which is being done attempting to address their serious medical concerns.

The bill we are considering today, as passed by the Senate, is different from the legislation we passed in October in a significant respect. Since the Senate-passed version does not specifically schedule GHB on the list of controlled substances, but rather instructs the DEA about how the scheduling should occur. I want to make clear that Congress clearly intends that once GHB is approved by the FDA, the DEA should place the drug into Schedule III. We intend that this drug product be treated in every respect as a Schedule III controlled substance. Only in this way can we ensure that patients who need this drug will have access to it.

Mr. Speaker, a lot of work has gone into reaching this bipartisan legislation. I want to thank the gentlewoman from Texas, Ms. JACKSON-LEE, for working with me so diligently on this issue. I want to thank the Chairman of the Commerce Committee Mr. BLILEY, as well as Mr. UPTON and Mr. BILIRAKIS who were crucial in moving this bill through the Commerce Committee. Finally I would like to thank Mr. DINGELL, as well as Mr. BROWN and Mr. KLING for working with us on our side to move this bill. I urge the House to pass this bill so we can prevent more deaths from the misuse of this dangerous substance.

Mr. BLILEY. Mr. Speaker, I rise in support of H.R. 2130, as amended by the Senate, "the Hillory J. Farias and Samantha Reid Date-Rape Drug Prohibition Act of 1999." As you know, along with Mr. UPTON, Mr. STUPAK, and Ms. JACKSON-LEE, I am one of the original sponsors of this important legislation to address the growing national problem of the abuse of date rape drugs to facilitate sexual assaults on unsuspecting victims. By passing this legislation today and sending it to the President to be signed into law, we will give the DEA and law enforcement organizations the tools they need to take a significant step forward in getting date rape drugs off of the streets and out of the hands of criminals to protect our Nation's youth.

Although H.R. 2130, as amended by the Senate, uses different language, the intent with respect to the scheduling of GHB under the Controlled Substances Act (CSA) and listing GBL as a List I chemical remains exactly the same as the bill that passed the full House last year. H.R. 2130, as amended, would

place GHB into schedule I of the CSA. Schedule I gives the Drug Enforcement Administration its strongest control over the drug, and allows prosecutors to impose the harshest penalties for those who abuse GHB. Additionally, as in the bill passed in October, registered manufacturers and registered distributors possessing the drug pursuant to an FDA approved Investigation New Drug exemption (IND) would be subject to schedule III security requirements under the CSA and implementing regulations. This will protect patients with cataplexy—a severe and debilitating form of narcolepsy—by allowing years of promising research to continue.

Also, under H.R. 2130, as amended, if a drug product that contains GHB receives FDA approval, the approved GHB drug product will be placed in Schedule III of the CSA. However, given the dangers involving this drug, H.R. 2130 adds additional reporting and accountability requirements to conform with the requirements for schedule I substances, schedule II drugs, and schedule III narcotics, and, significantly would maintain the strict schedule I criminal penalties for the unlawful abuse of the approved drug product. Simply put, these additional requirements and penalties in my opinion are needed to provide greater protection to our nation's youth, and to give our law enforcement agencies the ability to penalize those who abuse this product to the fullest extent under the law.

These drugs are powerful sedatives, which in certain dosages can induce unconsciousness or even death. In addition to the risk that is posed by the misuse of these drugs by sexual predators, misuse of these drugs for recreational abuse is also a growing danger. The numbers of emergency room admissions for overdoses, drunk driving accidents, and other injuries which are related to these drugs are all increasing with no end in sight. Certainly, it seems like almost every week that we read a new report involving the abuse of GHB and GBL. As many of you know, H.R. 2130, as amended, is named after a young Texas woman, Hillory Farias, and a young woman from Michigan, Samatha Reid, who died after unknowingly ingesting GHB. We must do all that we can to ensure that similar tragic events do not occur again. By passing H.R. 2130 today, we will take a significant step forward in that direction. Once again, I would like to thank Mr. Upton for his leadership and tireless efforts on this issue, and I look forward to seeing H.R. 2130 signed into law.

Mr. HAYWORTH. Mr. Speaker, I commend and thank my colleague, Congressman FRED UPTON, for introducing H.R. 2130, the Hillory J. Farias and Samantha Reid Date-Rape Drug Prohibition Act.

On December 17, 1999, Tom Gugliotta, who plays for the Phoenix Suns, suffered a seizure and was nearly killed after taking a form of furanone di-hydon, a generic chemical name for gamma butyrolactone (GBL). In the United States, products containing GBL have been marketed as dietary supplements and the sale of GBL is not regulated in most states.

GBL is the primary precursor used in the production of gamma-hydroxybutyric acid (GHB). GHB has predominantly been abused by America's youth to produce euphoric and hallucinatory states, and for its alleged role as a growth hormone releasing agent to stimulate muscle. Additionally, GHB has been used to assist in the commission of sexual assaults.

The Drug Enforcement Administration (DEA) has documented over 5,700 overdoses and law enforcement encounters with GHB and 58 GHB-related deaths. GBL, once absorbed orally, is rapidly converted into GHB in the body and produces the same profile of physiological and behavioral effects as GHB. In 1999, the FDA issued several warnings about products that contain GBL and asked manufacturers to voluntarily recall all products. Unfortunately, products containing GBL remain available for sale over the Internet.

H.R. 2130 directs the Attorney General to schedule GHB (together with its salts, isomers, and salts of isomers) as a "Schedule I drug", the DEA's most regulated drug category, under the Controlled Substances Act (CSA). In addition, H.R. 2130 specifically names GBL as a "List I chemical", the DEA's most regulated chemical category.

Illicit use of many GHB analogues and precursor chemicals is a significant and growing law enforcement problem. Importantly, H.R. 2130 will help DEA not only control GHB, but the full range of CSA drug control measures would also apply to GBL.

It is imperative that the DEA has necessary tools to control these dangerous substances to further prevent incidents such as Tom Gugliotta's seizure. Therefore, I urge an aye vote on H.R. 2130.

Mr. PAUL. Mr. Speaker, today the Congress will collectively move our nation yet another step closer to a national police state by further expanding a federal crime to include amongst the list of controlled substances that of GHB, a nutrient used for 25 years with beneficial effects for those suffering from cataplexy, insomnia, narcolepsy, depression, alcoholism, opiate addiction and numerous other conditions. Of course, it is much easier to ride the current wave of federalizing every human misdeed in the name of saving the world from some evil than to uphold a Constitutional oath which prescribes a procedural limitation by which the nation is protected from what is perhaps the worst evil, totalitarianism. Who, after all, and especially in an election year, wants to be amongst those members of Congress who are portrayed as being soft on drugs or rape, irrespective of the procedural transgressions and individual or civil liberties one tramples in their overzealous approach.

Our federal government is, constitutionally, a government of limited powers. Article one, Section eight, enumerates the legislative areas for which the U.S. Congress is allowed to act or enact legislation. For every other issue, the federal government lacks any authority or consent of the governed and only the state governments, their designees, or the people in their private market actions enjoy such rights to governance. The tenth amendment is brutally clear in stating "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

In his first formal complaint to Congress on behalf of the federal Judiciary, Chief Justice William H. Rehnquist said "the trend to federalize crimes that have traditionally been handled in state courts * * * threatens to change entirely the nature of our federal system." Rehnquist further criticized Congress for yielding to the political pressure to "appear responsive to every highly publicized societal ill or sensational crime."

Even if GHB is as potentially dangerous as the bill's advocates suggest, punishing pos-

sion of a useful substance because it potentially could be used in a harmful manner is as inconsistent with liberty as criminalizing the possession of handguns and cars.

Moreover, this bill empowers Health and Human Services to engage in a national propaganda campaign on the dangers of GHB, creates a special unit with the Drug Enforcement Agency to assess abuse and trafficking in GHB, and authorizes the Justice Department to issue taxpayer-funded grants for the development of police officer field-test equipment. Aside from being further abuses of enumerated powers doctrine, the substantive questions raised by this legislation make these usurpations of state government authority even more reprehensible.

Additionally, this Act undermines the recently enacted Dietary Supplement Health & Education Act (DSHEA) at the expense of thousands of consumers who have safely used these natural metabolites of the amino acid GABA. According to practicing physician Ward Dean, West Point graduate and former Delta Force flight surgeon, HR 2130 appears to be a case of pharmaceutical-company-protectionism. Because the substances restricted under this act are natural, and hence, non-patentable, the pharmaceutical concerns lose market-share in areas for which GHB is a safer and less expensive means of treating numerous ailments. In a recent letter from Dr. Dean, he states:

I have extensive experience in the clinical use of gamma hydroxy butyric acid (GHB) . . . I have used these substances for over ten years on hundreds of patients (and have advised thousands through my books and articles on the subject). I have not had one instance reported to me of adverse effects in my patients. GHB is the safest, most non-toxic sleep inducing substance known. It has a wide range of other therapeutic uses. The therapeutic threshold for GHB is greater than almost any known pharmaceutical substance (the LD50 is 40-100 times greater than the sleep-inducing therapeutic dose of 3-6 grams!).

It is incongruous, to me, that a substance with such a wide range of documented benefits that is so overwhelmingly safe, can simultaneously be both a Schedule I and a Schedule III substance. GHB is a naturally occurring substance, present in all mammalian tissue as well as many foods. Consequently, everyone is in "possession" of this "controlled substance"—and every grocery store that sells meat is in "possession with intent to distribute." These are not frivolous statements. In states where GHB is a Schedule I substance, there have been several instances where the charges have been dropped by the prosecution upon receipt of documentation that GHB is in beef from the state in question. I believe alleged violations of this proposed federal law will be equally difficult to successfully prosecute.

Although GHB has been claimed to have been responsible for a small number of deaths, many of these cases are questionable. This is due to the fact that GHB is produced in significant quantities by the body post mortem, and is readily detectable in 96 out of 100 deceased persons even when no GHB has been consumed.

For each of the aforementioned procedural and substantive reasons, I must again oppose H.R. 2130, the Hillory J. Farias Date-Rape Prevention Drug Act.

Ms. STABENOW. Mr. Speaker, I rise today in support of H.R. 2130, and I commend the gentlemen from Michigan, Mr. UPTON, Mr. DINGELL, and Mr. STUPAK, as well as our other

colleagues mentioned here today, for their work on this legislation. I am a cosponsor of this bill and I am glad we are making this one of our first priorities this session. I look forward to it becoming law very soon.

H.R. 2130 will classify gamma hydroxybutyric, or GHB, as a schedule I drug under the Controlled Substances Act, as it is in my home state of Michigan. This action is necessary due to the increased and pernicious use of this drug. According to the U.S. Drug Enforcement Agency (DEA), at least 32 deaths have been associated with GHB since 1990, while over 3,500 overdoses have occurred. Emergency room visits due to GHB increased nationally from 26 in 1992 to 629 in 1996.

Samantha Reid, one of the young women this bill is named after, was from Michigan. She died one year ago after unknowingly ingesting GHB at a party. She was 15 years old. It is this type of senseless tragedy that H.R. 2130 is meant to address. GHB is odorless and colorless and is easily slipped into a drink without the knowledge of the intended victim. It is generally used as a date-rape drug, a crime that affects women between the ages of 16 and 24 more than any other age group. It is estimated that one in four college women have been the victim of date-rape.

H.R. 2130 directs the Department of Justice to develop model protocols for taking toxicology specimens and victim's statements in association with drugs used to commit date-rape. This is important because this crime too often goes unreported. A recent study indicates that 84 percent of rape victims knew their attacker, and 57 percent of those were raped on a date. Moreover, GHB is hard to trace, often leaving the body within 24 hours. The DEA will also create a special unit to analyze the growing use of date-rape drugs and make recommendations to the Attorney General on how federal funds can best be used to combat this problem.

Mr. Speaker, I would again like to commend the work of my colleagues on this important legislation. I urge my colleagues to support its passage.

Mr. UPTON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 2130.

The question was taken.

Mr. UPTON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

ELECTRONIC BENEFIT TRANSFER INTEROPERABILITY AND PORTABILITY ACT OF 1999

Mr. COMBEST. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1733) to amend the Food Stamp Act of 1977 to provide for a national standard of interoperability and portability applicable to electronic food stamp benefit transactions.

The Clerk read as follows:

S. 1733

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Electronic Benefit Transfer Interoperability and Portability Act of 1999".

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to protect the integrity of the food stamp program;

(2) to ensure cost-effective portability of food stamp benefits across State borders without imposing additional administrative expenses for special equipment to address problems relating to the portability;

(3) to enhance the flow of interstate commerce involving electronic transactions involving food stamp benefits under a uniform national standard of interoperability and portability; and

(4) to eliminate the inefficiencies resulting from a patchwork of State-administered systems and regulations established to carry out the food stamp program.

SEC. 3. INTEROPERABILITY AND PORTABILITY OF FOOD STAMP TRANSACTIONS.

Section 7 of the Food Stamp Act of 1977 (7 U.S.C. 2016) is amended by adding at the end the following:

"(K) INTEROPERABILITY AND PORTABILITY OF ELECTRONIC BENEFIT TRANSFER TRANSACTIONS.—

"(1) DEFINITIONS.—In this subsection:

"(A) ELECTRONIC BENEFIT TRANSFER CARD.—The term 'electronic benefit transfer card' means a card that provides benefits under this Act through an electronic benefit transfer service (as defined in subsection (i)(11)(A)).

"(B) ELECTRONIC BENEFIT TRANSFER CONTRACT.—The term 'electronic benefit transfer contract' means a contract that provides for the issuance, use, or redemption of coupons in the form of electronic benefit transfer cards.

"(C) INTEROPERABILITY.—The term 'interoperability' means a system that enables a coupon issued in the form of an electronic benefit transfer card to be redeemed in any State.

"(D) INTERSTATE TRANSACTION.—The term 'interstate transaction' means a transaction that is initiated in 1 State by the use of an electronic benefit transfer card that is issued in another State.

"(E) PORTABILITY.—The term 'portability' means a system that enables a coupon issued in the form of an electronic benefit transfer card to be used in any State by a household to purchase food at a retail food store or wholesale food concern approved under this Act.

"(F) SETTLING.—The term 'settling' means movement, and reporting such movement, of funds from an electronic benefit transfer card issuer that is located in 1 State to a retail food store, or wholesale food concern, that is located in another State, to accomplish an interstate transaction.

"(G) SMART CARD.—The term 'smart card' means an intelligent benefit card described in section 17(f).

"(H) SWITCHING.—The term 'switching' means the routing of an interstate transaction that consists of transmitting the details of a transaction electronically recorded through the use of an electronic benefit transfer card in 1 State to the issuer of the card that is in another State.

"(2) REQUIREMENT.—Not later than October 1, 2002, the Secretary shall ensure that systems that provide for the electronic issuance, use, and redemption of coupons in

the form of electronic benefit transfer cards are interoperable, and food stamp benefits are portable, among all States.

"(3) COST.—The cost of achieving the interoperability and portability required under paragraph (2) shall not be imposed on any food stamp retail store, or any wholesale food concern, approved to participate in the food stamp program.

"(4) STANDARDS.—Not later than 210 days after the date of enactment of this subsection, the Secretary shall promulgate regulations that—

"(A) adopt a uniform national standard of interoperability and portability required under paragraph (2) that is based on the standard of interoperability and portability used by a majority of State agencies; and

"(B) require that any electronic benefit transfer contract that is entered into 30 days or more after the regulations are promulgated, by or on behalf of a State agency, provide for the interoperability and portability required under paragraph (2) in accordance with the national standard.

"(5) EXEMPTIONS.—

"(A) CONTRACTS.—The requirements of paragraph (2) shall not apply to the transfer of benefits under an electronic benefit transfer contract before the expiration of the term of the contract if the contract—

"(i) is entered into before the date that is 30 days after the regulations are promulgated under paragraph (4); and

"(ii) expires after October 1, 2002.

"(B) WAIVER.—At the request of a State agency, the Secretary may provide 1 waiver to temporarily exempt, for a period ending on or before the date specified under clause (iii), the State agency from complying with the requirements of paragraph (2), if the State agency—

"(i) establishes to the satisfaction of the Secretary that the State agency faces unusual technological barriers to achieving by October 1, 2002, the interoperability and portability required under paragraph (2);

"(ii) demonstrates that the best interest of the food stamp program would be served by granting the waiver with respect to the electronic benefit transfer system used by the State agency to administer the food stamp program; and

"(iii) specifies a date by which the State agency will achieve the interoperability and portability required under paragraph (2).

"(C) SMART CARD SYSTEMS.—The Secretary shall allow a State agency that is using smart cards for the delivery of food stamp program benefits to comply with the requirements of paragraph (2) at such time after October 1, 2002, as the Secretary determines that a practicable technological method is available for interoperability with electronic benefit transfer cards.

"(6) FUNDING.—

"(A) IN GENERAL.—In accordance with regulations promulgated by the Secretary, the Secretary shall pay 100 percent of the costs incurred by a State agency under this Act for switching and settling interstate transactions—

"(i) incurred after the date of enactment of this subsection and before October 1, 2002, if the State agency uses the standard of interoperability and portability adopted by a majority of State agencies; and

"(ii) incurred after September 30, 2002, if the State agency uses the uniform national standard of interoperability and portability adopted under paragraph (4)(A).

"(B) LIMITATION.—The total amount paid to State agencies for each fiscal year under subparagraph (A) shall not exceed \$500,000."

SEC. 4. STUDY OF ALTERNATIVES FOR HANDLING ELECTRONIC BENEFIT TRANS-ACTIONS INVOLVING FOOD STAMP BENEFITS.

Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture shall study and report to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate on alternatives for handling interstate electronic benefit transactions involving food stamp benefits provided under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), including the feasibility and desirability of a single hub for switching (as defined in section 7(k)(1) of that Act (as added by section 3)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. COMBEST) and the gentleman from Texas (Mr. STENHOLM) each will control 20 minutes.

The Chair recognizes the gentleman from Texas (Mr. COMBEST).

Mr. COMBEST. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of the bill, S. 1733, the Food Stamp Electronic Benefit Transfer Interoperability and Portability Act. This bill was passed unanimously by the Senate last November, and today the House will act on that bill.

The bill provides for a national standard of interoperability and portability for the food stamp program. The bill requires the U.S. Department of Agriculture to set specific standards for States with electronic benefit transfer systems so that food stamp participants can redeem their benefits in neighboring States. Under the food stamp coupon system, participants can redeem benefits in any retail food store. States want to apply this same principle to the EBT system of delivery of food assistance benefits.

The gentleman from Virginia (Mr. GOODLATTE), chairman of the subcommittee with jurisdiction over the food stamp program, introduced a similar bill last year. I commend the chairman of the subcommittee for his attention to this matter and his work ensuring proper oversight of the food stamp program.

The Food Stamp Act already requires that all States issue food stamp benefits under an EBT system by the year 2002. The EBT is a more efficient and effective manner in which to provide food benefits for needy families. S. 1733 requires the USDA, within 7 months of enactment, adopt a uniform national standard of interoperability and portability so that State-issued EBT cards can be used in other States. The standards are to be based on the standards used by the majority of States, thereby enabling USDA to use flexibility in writing the standards.

The bill also provides for exemptions for States if they have entered into EBT contracts using other standards. Also, waivers are provided for States operating smart card food stamp systems rather than debit card systems, as most States do.

S. 1733 requires USDA to pay 1 percent of the costs of adopting these

standards up to a maximum of \$500,000 per year.

Mr. Speaker, I urge my colleagues to support S. 1733.

Mr. Speaker, I reserve the balance of my time.

Mr. STENHOLM. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of S. 1733, the Electronic Benefit Transfer Interoperability and Portability Act. This legislation is designed to ease the current burdens on interstate transactions in the food stamp program.

In 1996, Congress amended the Food Stamp Act by requiring the Secretary of Agriculture to consider a cost-effective alternative to the use of food stamp coupons in order to reduce the cost of coupon redemption. The EBT system was developed.

The switch to EBT cards is clearly a practical policy objective. Unfortunately, there is a lack of uniformity among State EBT systems and this negatively affects the delivery of assistance to food stamp recipients, many of whom lose benefits when they travel from State to State. For example, the different EBT designs of Texas and Oklahoma limit a Texas food stamp participants's choice by preventing shopping in other States where the EBT system designs and procedures are not uniform. This was not the case under the previous inefficient coupon system.

S. 1733 addresses the uniformity issue in a practical and accountable manner. Specifically, it requires the Secretary of Agriculture to adopt a uniform national standard of interoperability and portability that is used by a majority of State agencies. At the present time a majority of States are using a standard referred to as "QUEST." This was developed by the National Automated Clearing House Association EBT Council which includes State food stamp program administrators, retailers, and food and nutrition officials.

Mr. Speaker, under S. 1733, the Secretary of Agriculture will be allowed to modify the QUEST rules in order to solve future problems. This discretionary authority is important to my State of Texas for a couple of reasons.

Texas operates the Nation's largest EBT system for food stamps, benefiting 1.5 million Texas recipients or 635,000 households per month. The real challenge for Texas is the search for a replacement of its full service EBT contract in a market with limited competition and increased pricing, lower levels of service and less State customization.

In order to remedy the lack of competition in the EBT market, Texas will serve as its own prime EBT contractor while issuing various subcontracts for specific EBT services, including the interoperability and portability components. This method will give Texas and other States a better chance of delivering uninterrupted, timely, and accurate food stamp benefits in a cost-effective manner.

The bill's language in section 4(a) accommodates these concerns by requiring the Secretary to use the QUEST rules as a starting point and permitting necessary changes to those rules as the dictates of the food stamp program require.

Finally, Mr. Speaker, this legislation sets an annual cap of \$500,000 to pay for the switching and settling charges associated with interstate food stamp purchases. This cost issue has been the cause of some disagreement. The States were correct in their belief that the Food and Nutrition Service should pay for all of the costs associated with interstate transactions. We should not, however, set a precedent suggesting that the Federal Government will pay for every new technology advancement used by retailers who participate in the food stamp program.

National uniformity among State food stamp systems will mean that program participants will no longer encounter problems with the use of their EBT cards beyond the borders of the issuing State. I urge my colleagues to support the passage of this legislation.

Mr. Speaker, I reserve the balance of my time.

Mr. COMBEST. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman from Texas (Mr. COMBEST), my chairman, for yielding me this time and for his support of this important legislation.

Mr. Speaker, on August 4, 1999, I introduced H.R. 2709, the Electronic Benefit Transfer Interoperability and Portability Act of 1999. The Senator from Illinois, Senator FITZGERALD, introduced an almost identical bill, S. 1733, which passed the Senate at the end of the first session of the 106th Congress; and it is that bill that we consider today.

The sole focus of my bill was to allow food stamp beneficiaries the ability to redeem their benefits in any general store, regardless of location. Beneficiaries had this ability under the old food stamp system, but lost it as States migrated to an electronic benefits transfer system.

Under the old paper food stamp system, recipients could redeem their food coupons in any authorized food store anywhere in the country. For example, a food stamp recipient living in Bath County, Virginia, could use their food stamps in their favorite grocery store, even if that happened to be in West Virginia. Similarly, a recipient living in Tennessee could visit their mother in Virginia and purchase food for their children while away from home.

Unfortunately, as we move to electronic delivery of benefits, this is currently not the case. My bill provides for the portability of food assistance benefits and allows food stamp recipients the flexibility of shopping at locations that they choose. Across the country we are finding that people live in one State and shop in another. This

cross-border shopping is conducted for a variety of reasons. One of them is convenience. Another is the cost of goods.

The supermarket industry is very competitive. Every week, stores advertise specials in newspaper ads across the country. People not only shop at locations convenient to them but also shop around for the best prices. Customers paying with every type of tender except EBT have the flexibility to shop where they choose.

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Why should recipients of food assistance benefits not be allowed to stretch their dollars in the same way that other consumers do without regard to State borders?

EBT portability is simply allowing recipients of benefits under the food stamp program to redeem those benefits without regard to State borders at the stores they choose. In addition to portability, my legislation allows for the interoperability of EBT transactions. Interoperability can be simply defined as the ability of various computers involved in authorizing, routing, and selling an EBT transaction to talk to each other.

I offered a Sense of the Congress amendment to the Welfare Reform bill that Congress passed in 1996. My amendment urged States to work together to achieve a seamless system of food stamp benefit redemption. States did a decent job considering the circumstances. They are now asking for an extra nudge to realize the goal of my earlier amendment.

My legislation requires States to conform their EBT standards to a national uniform operating system that the States themselves choose. The clear choice, the Quest operating system, has already been adopted by 33 States.

Pilot studies have been conducted to determine the cost and other efficiencies that might be realized by EBT interoperability. The pilot program determined my bill would only cost the food stamp program \$500,000. That is not a lot of money for an \$18 billion program.

Also, the State of Missouri found around \$32 million in abuse of the program that they never would have found if their EBT system could not talk with neighboring State systems or they found people were getting dual food stamps, applying for and receiving food stamps in more than one State.

Mr. Speaker, the bill we consider today is simple. It returns the national redemption convenience to the beneficiaries of the program, gives the States the guidance they are looking for, and provides another tool in the fight against fraud, waste, and abuse in the food stamp program.

I thank my colleagues for this time, and I urge support from the membership for the Electronic Benefit Transfer Interoperability and Portability Act.

Mr. COMBEST. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Speaker, I wish to congratulate the gentleman from Texas (Mr. COMBEST), the chairman of the committee, and the gentleman from Texas (Mr. STENHOLM), the ranking member, for the job that they have done.

Specifically, I want to congratulate the gentleman from Virginia (Chairman GOODLATTE) and commend him on his efforts here today regarding the EBT bill.

This common sense piece of legislation will achieve portability for the delivery of food stamp benefits in every State across the Nation. The legislation that my colleague has introduced is very important as the States make the transition from paper coupons or food stamps to a more efficient electronic system.

As my colleagues know, the State of Ohio has been an innovator in this area, having developed an extremely successful Smart Card program for the delivery of food stamp benefits to more than 300,000 recipients in my home State.

In this regard, I wish to engage my colleague from Virginia in a colloquy to receive assurances that his bill will in no way harm the innovative technology that Ohio has adopted for delivering benefits.

Mr. GOODLATTE. Mr. Speaker, will the gentleman yield?

Mr. BOEHNER. I yield to the gentleman from Virginia.

Mr. GOODLATTE. Mr. Speaker, I thank the gentleman from Ohio for yielding to me and for his interest and support of this legislation. I very much appreciate his kind remarks and for bringing this particular concern to my attention.

In the legislation that the House is now considering, there are provisions that have been included to ensure that the two existing Smart Card programs that are currently in place, those being Ohio and Wyoming, will not be forced to make any changes that would result in either new or additional expenses for the States.

Ohio and Wyoming can continue using their Smart Cards until the Secretary determines that a practicable technological method is available for interoperability between electronic benefit transfer Smart Card systems and the magnetic stripe card systems that most other States are using.

Furthermore, the legislation provides safeguards so that these off-line programs are not jeopardized in any way.

It is my understanding that both Ohio and Wyoming chose to embrace this Smart Card technology for the delivery of benefits with the blessing and approval of the United States Department of Agriculture. Therefore, Ohio and Wyoming should not be required to change their systems until they are interested in doing so.

I wish to ensure my good friend and colleague from Ohio (Mr. BOEHNER) that the legislation's waiver section and the provision for specific exemp-

tions for Smart Card systems were incorporated into these initiatives with Ohio and Wyoming's interest in mind.

As a footnote, I should mention that the technology is not currently available in the marketplace for on- and off-line systems to be compatible and interoperable. However, that day is rapidly approaching.

In the short term, it is my hope that the Congress will have the opportunity to work toward a national standard for Smart Cards as other States like Ohio and Wyoming begin to consider their own Smart Card projects for domestic feeding programs, unemployment compensation, health care, and other benefits. It is my view that there is much to learn from Ohio's leadership and experience in this area.

Mr. BOEHNER. Mr. Speaker, reclaiming my time, I want to thank the chairman for his comments.

As I understand his comments, Ohio would not, then, be required to change its off-line system to an on-line system under this proposal?

Mr. GOODLATTE. Mr. Speaker, if the gentleman will continue to yield, he is correct; Ohio, as well as Wyoming, would not be required to make any changes. And for that matter, those States currently using an on-line system that does not achieve the national interoperability standard would not be required to meet this standard until their current contracts expire.

Finally, I should point out that in the case of Ohio and Wyoming's Smart Card programs, the bill's waiver language and Smart Card provisions provide a clear exemption with no time limit imposed as to when changes would have to be made.

Mr. BOEHNER. Mr. Speaker, reclaiming my time, I appreciate these very important clarifications with regard to how legislation relates to Smart Card changes, especially my home State of Ohio.

Mr. STENHOLM. Mr. Speaker, I have no further requests for time on this side. I would just conclude by thanking the gentleman from Virginia (Chairman GOODLATTE) and the gentleman from Texas (Chairman COMBEST) for their work on this piece of legislation, and I urge our colleagues to support it.

Ms. JACKSON-LEE of Texas. I rise to support this important bill that amends the Food Stamp Act of 1977 to provide for a national standard of interoperability and portability applicable to electronic food stamp benefit transactions.

This measure ensures that our citizens can use their food stamp cards in any state. Currently, citizens in my home State of Texas cannot use their cards in any other states—a situation that hinders their ability to obtain vital necessities while traveling to other states. Clearly, we do not want our citizens burdened when they cross state lines to visit friends and families.

By amending the Food Stamp Act of 1977 with this bill, we can provide for a national standard of interoperability and portability applicable to electronic food stamp benefit transactions enhance food stamp interstate commerce. This measure would bring the food

stamp process into a new age of technology by requiring systems that provide for the electronic issuance, use, and redemption of coupons in the form of electronic benefit transfer cards to be interoperable, and food stamp benefits to be made portable, among all States not later than October 1, 2002.

I appreciate that this bill works in conjunction with the Secretary of Agriculture. The measure appropriately directs the Secretary of Agriculture to promulgate regulations that adopt a national standard based upon a standard used by the majority of States and require any electronic benefit transfer contract (as defined by this Act) entered into 30 days or more after promulgation of such regulations be in accordance with the national standard.

The bill also includes language to rectify potential technological difficulties. This piece of legislation authorizes the Secretary to provide a requesting State with a temporary deadline waiver based upon unusual technological barriers.

It is also vitally important that we provide for an interim system until the electronic standard is completed. This bill directs the Secretary to allow a State using a smart card food stamp delivery system to continue such system until a technological method is available for electronic benefit transfer card interoperability. Sets forth the conditions for full Federal payment of State switching costs, including annual fiscal year caps.

In an effort to provide a thorough analysis of this undertaking, this measure directs the Secretary of Agriculture to conduct a study of alternatives for handling food stamp benefit electronic transactions, including use of a single switching hub.

I am aware that this measure passed the Senate, and I appreciate the bipartisan effort to enact this bill. I support this fine piece of legislation.

Mrs. EMERSON. Mr. Speaker, I rise today in support of S. 1733, the Electronic Benefit Transfer (EBT) Interoperability and Portability Act. I'd like to thank Chairman LARRY COMBEST and Chairman BOB GOODLATTE for bringing this bill to the floor today and for their strong leadership on this important issue.

Interoperability of food stamp EBT systems makes sense both for recipients and retailers. As USDA moves from paper food coupons to EBT cards, interoperability ensures that recipients will retain the same portability as before. Recipients will be able to access stores nearest to their homes and retailers will be able to serve their customers regardless of state boundaries. In areas of the country near state lines, such as in my Congressional District in Southern Missouri, incompatible EBT systems have been a significant problem for both groups. I am very pleased that the bill before us today will resolve this problem and bring the best technology to the food stamp program.

The government and the taxpayer, too, are well served by S. 1733, because it establishes a new mechanism for tracking and policing fraud and abuse in the food stamp program. In my home state of Missouri, the Department of Social Services estimates that an interoperable EBT system would save the federal government as much as \$1 million annually in reduced fraud in Missouri alone.

One aspect of S. 1733 that I would like to highlight is that it provides 100% federal funding of the costs associated with switching and

settling interstate transactions. These costs will not be imposed on other entities, such as retail food stores, states, and food stamp households. This is entirely appropriate because these costs are directly related to administering the program on a nationwide basis, not within a particular state.

Again, I would like to reiterate to my colleagues that this is a very sensible piece of legislation that deserves the support of this House. I urge a strong "Yes" vote.

Mr. STENHOLM. Mr. Speaker, I yield back the balance of my time.

Mr. COMBEST. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PETRI). The question is on the motion offered by the gentleman from Texas (Mr. COMBEST) that the House suspend the rules and pass the Senate bill, S. 1733.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. COMBEST. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 1733.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 6 p.m.

Accordingly (at 2 o'clock and 52 minutes p.m.), the House stood in recess until approximately 6 p.m.

1800

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. STEARNS) at 6 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, the Chair will now put the question on each motion to suspend the rules on which further proceedings were postponed earlier today in the order in which that motion was entertained.

Votes will be taken in the following order:

House Concurrent Resolution 244, by the yeas and nays;

H.R. 2130, concurring in Senate amendment, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

PERMITTING USE OF CAPITOL ROTUNDA FOR CEREMONY COMMEMORATING VICTIMS OF HOLOCAUST

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, House Concurrent Resolution 244.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. BOEHNER) that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 244, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 339, nays 0, not voting 95, as follows:

[Roll No. 2]

YEAS—339

Ackerman	Cummings	Hinchey
Aderholt	Cunningham	Hobson
Allen	Danner	Hoefel
Archer	Davis (FL)	Hoekstra
Armey	Davis (VA)	Holden
Baca	DeFazio	Holt
Bachus	DeLauro	Hooley
Baird	DeLay	Horn
Baker	Deutscher	Hostettler
Baldacci	Dickey	Houghton
Baldwin	Dicks	Hoyer
Ballenger	Dixon	Hutchinson
Barr	Doggett	Hyde
Barrett (WI)	Dooley	Inslee
Bartlett	Doolittle	Jackson (IL)
Barton	Doyle	Jackson-Lee
Bentsen	Dreier	(TX)
Bereuter	Duncan	Jenkins
Berkley	Dunn	John
Berry	Edwards	Johnson, E. B.
Biggert	Ehlers	Johnson, Sam
Bilbray	Emerson	Jones (NC)
Bilirakis	Engel	Jones (OH)
Bishop	English	Kanjorski
Blagojevich	Eshoo	Kasich
Bliley	Etheridge	Kelly
Blumenauer	Evans	Kildee
Blunt	Ewing	Kind (WI)
Boehlert	Farr	King (NY)
Boehner	Filner	Klecza
Bonilla	Fletcher	Klink
Bonior	Foley	Knollenberg
Bono	Forbes	Kolbe
Borski	Ford	Kucinich
Boswell	Fossella	Kuykendall
Boyd	Frank (MA)	LaFalce
Brady (PA)	Frelinghuysen	LaHood
Brady (TX)	Frost	Lampson
Burr	Gallegly	Lantos
Buyer	Ganske	Latham
Callahan	Gekas	LaTourette
Calvert	Gibbons	Lazio
Camp	Gilchrest	Leach
Canady	Gillmor	Lee
Cannon	Gilman	Levin
Capps	Gonzalez	Lewis (GA)
Capuano	Goode	Lewis (KY)
Cardin	Goodlatte	Linder
Castle	Gordon	Lipinski
Chabot	Goss	LoBiondo
Chenoweth-Hage	Granger	Lofgren
Clay	Green (TX)	Lucas (KY)
Clayton	Green (WI)	Luther
Clement	Greenwood	Maloney (CT)
Clyburn	Gutierrez	Maloney (NY)
Coble	Gutknecht	Manzullo
Collins	Hall (OH)	Martinez
Combest	Hall (TX)	Mascara
Condit	Hastings (FL)	McCarthy (MO)
Conyers	Hastings (WA)	McCarthy (NY)
Cook	Hayes	McDermott
Costello	Hayworth	McGovern
Coyne	Herger	McHugh
Cramer	Hill (IN)	McInnis
Crane	Hill (MT)	McIntyre
Crowley	Hilleary	McKeon
Cubin	Hilliard	McKinney

McNulty	Radanovich	Stearns
Meek (FL)	Rahall	Stenholm
Meeks (NY)	Ramstad	Strickland
Menendez	Rangel	Stump
Metcalf	Regula	Stupak
Mica	Reyes	Sununu
Millender-	Reynolds	Talent
McDonald	Riley	Tancredo
Miller, Gary	Roemer	Tanner
Minge	Rogan	Tauscher
Moakley	Rogers	Tauzin
Mollohan	Rohrabacher	Taylor (MS)
Moore	Ros-Lehtinen	Terry
Moran (KS)	Rothman	Thomas
Moran (VA)	Roybal-Allard	Thompson (CA)
Morella	Royce	Thompson (MS)
Murtha	Rush	Thornberry
Nadler	Ryan (WI)	Thune
Napolitano	Ryun (KS)	Thurman
Ney	Sabo	Tierney
Northup	Salmon	Toomey
Norwood	Sandin	Towns
Nussle	Sawyer	Trafficant
Oberstar	Saxton	Udall (CO)
Obey	Schakowsky	Udall (NM)
Olver	Sensenbrenner	Upton
Ortiz	Serrano	Velazquez
Ose	Sessions	Visclosky
Oxley	Shaw	Vitter
Packard	Shays	Walden
Pallone	Sherman	Walsh
Pascrell	Sherwood	Wamp
Pastor	Shimkus	Waters
Paul	Shows	Watt (NC)
Pease	Simpson	Waxman
Pelosi	Sisisky	Weiner
Peterson (MN)	Skeen	Weldon (PA)
Petri	Skelton	Weller
Phelps	Smith (MI)	Weyand
Pickering	Smith (NJ)	Whitfield
Pickett	Smith (TX)	Wicker
Pitts	Smith (WA)	Wise
Pomeroy	Snyder	Wolf
Porter	Souder	Woolsey
Portman	Spratt	Wu
Pryce (OH)	Stabenow	Wynn
Quinn	Stark	

NOT VOTING—95

Abercrombie	Gephardt	Nethercutt
Andrews	Goodling	Owens
Barcia	Graham	Payne
Barrett (NE)	Hansen	Peterson (PA)
Bass	Hefley	Pombo
Bateman	Hinojosa	Price (NC)
Becerra	Hulshof	Rivers
Berman	Hunter	Rodriguez
Boucher	Isakson	Roukema
Brown (FL)	Istook	Sanchez
Brown (OH)	Jefferson	Sanders
Bryant	Johnson (CT)	Sanford
Burton	Kaptur	Scarborough
Campbell	Kennedy	Schaffer
Carson	Kilpatrick	Scott
Chambliss	Kingston	Shadegg
Coburn	Largent	Shuster
Cooksey	Larson	Slaughter
Cox	Lewis (CA)	Spence
Davis (IL)	Lowe	Sweeney
Deal	Lucas (OK)	Taylor (NC)
DeGette	Markey	Tiahrt
Delahunt	Matsui	Turner
DeMint	McCollum	Vento
Diaz-Balart	McCrery	Watkins
Dingell	McIntosh	Watts (OK)
Ehrlich	Meehan	Weldon (FL)
Everett	Miller (FL)	Wexler
Fattah	Miller, George	Wilson
Fowler	Mink	Young (AK)
Franks (NJ)	Myrick	Young (FL)
Gejdenson	Neal	

1825

Mr. PITTS changed his vote from “nay” to “yea.”

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BURTON of Indiana. Mr. Speaker, on rollcall No. 2, I was unavoidably detained. Had

I been present, I would have voted “yea.” on rollcall No. 2.

Mr. SCARBOROUGH. Mr. Speaker, on rollcall No. 2, had I been present, I would have voted “yea.”

Ms. SANCHEZ. Mr. Speaker, during rollcall vote No. 2 on January 31, 2000 I was unavoidably detained. Had I been present, I would have voted “yea.”

Ms. SLAUGHTER. Mr. Speaker, I was unable to be present for rollcall vote No. 2. Had I been present, I would have voted “yea” on rollcall vote No. 2.

Mr. ANDREWS. Mr. Speaker, on H. Con. Res. 244, due to travel restrictions, I was unavoidably detained and unable to cast my vote. Had I been present, I would have voted “yea.”

HILLORY J. FARIAS AND SAMANTHA REID DATE-RAPE PREVENTION DRUG ACT OF 1999

The SPEAKER pro tempore (Mr. STEARNS). The pending business is the question of suspending the rules and concurring in the Senate amendments to the bill, H.R. 2130.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 2130, on which the yeas and nays are ordered.

This is a 5 minute vote.

The vote was taken by electronic device, and there were—yeas 339, nays 2, not voting 93, as follows:

[Roll No. 3]

YEAS—339

Ackerman	Canady	Emerson
Aderholt	Capps	Engel
Allen	Capuano	English
Andrews	Cardin	Eshoo
Archer	Castle	Etheridge
Armey	Chabot	Evans
Baca	Clay	Ewing
Bachus	Clayton	Farr
Baird	Clement	Filner
Baker	Clyburn	Fletcher
Baldacci	Coble	Foley
Baldwin	Collins	Forbes
Ballenger	Combest	Ford
Barr	Condit	Fossella
Barrett (WI)	Conyers	Frank (MA)
Bartlett	Cook	Frelinghuysen
Barton	Costello	Frost
Bentsen	Coyne	Gallegly
Bereuter	Cramer	Ganske
Berkley	Crane	Gekas
Berry	Crowley	Gibbons
Biggert	Cubin	Gilchrest
Bilbray	Cummings	Gillmor
Bilirakis	Cunningham	Gilman
Bishop	Danner	Gonzalez
Blagojevich	Davis (FL)	Goode
Bliley	Davis (VA)	Goodlatte
Blumenauer	DeFazio	Gordon
Blunt	Delahunt	Goss
Boehlert	DeLauro	Granger
Boehner	DeLay	Green (TX)
Bonilla	Deutsch	Green (WI)
Bonior	Dickey	Greenwood
Bono	Dicks	Gutierrez
Borski	Dixon	Gutknecht
Boswell	Doggett	Hall (OH)
Boyd	Dooley	Hall (TX)
Brady (PA)	Doolittle	Hastings (FL)
Brady (TX)	Doyle	Hastings (WA)
Burr	Dreier	Hayes
Buyer	Duncan	Hayworth
Callahan	Dunn	Herger
Calvert	Edwards	Hill (IN)
Camp	Ehlers	Hill (MT)

Hilleary	McNulty	Saxton
Hilliard	Meek (FL)	Schakowsky
Hinchey	Meeks (NY)	Sensenbrenner
Hobson	Menendez	Serrano
Hoefel	Metcalf	Sessions
Hoekstra	Mica	Shaw
Holden	Millender-	Shays
Holt	McDonald	Sherman
Hooley	Miller, Gary	Sherwood
Horn	Minge	Shimkus
Hostettler	Moakley	Shows
Houghton	Mollohan	Simpson
Hoyer	Moore	Sisisky
Hutchinson	Moran (KS)	Skeen
Hyde	Moran (VA)	Skelton
Inslee	Morella	Smith (MI)
Jackson (IL)	Murtha	Smith (NJ)
Jackson-Lee	Nadler	Smith (TX)
(TX)	Napolitano	Smith (WA)
Jenkins	Ney	Snyder
John	Northup	Souder
Johnson, E. B.	Norwood	Spratt
Johnson, Sam	Nussle	Stabenow
Jones (NC)	Oberstar	Stark
Jones (OH)	Obey	Stearns
Kanjorski	Olver	Stenholm
Kasich	Ortiz	Strickland
Kelly	Ose	Stump
Kildee	Oxley	Stupak
Kind (WI)	Packard	Sununu
King (NY)	Pallone	Talent
Klecza	Pascrell	Tancredo
Klink	Pastor	Tanner
Knollenberg	Pease	Tauscher
Kolbe	Pelosi	Tauzin
Kucinich	Peterson (MN)	Taylor (MS)
Kuykendall	Petri	Terry
LaFalce	Phelps	Thomas
LaHood	Pickering	Thompson (CA)
Lampson	Pickett	Thompson (MS)
Lantos	Pitts	Thornberry
Latham	Pomeroy	Thune
LaTourette	Porter	Thurman
Lazio	Portman	Tierney
Leach	Pryce (OH)	Toomey
Lee	Quinn	Towns
Levin	Radanovich	Trafficant
Lewis (GA)	Rahall	Udall (CO)
Lewis (KY)	Ramstad	Udall (NM)
Linder	Rangel	Upton
Lipinski	Regula	Velazquez
LoBiondo	Reyes	Visclosky
Lofgren	Reynolds	Vitter
Lucas (KY)	Riley	Walden
Luther	Roemer	Walsh
Maloney (CT)	Rogan	Wamp
Maloney (NY)	Rogers	Waters
Manzullo	Rohrabacher	Watt (NC)
Martinez	Ros-Lehtinen	Waxman
Mascara	Rothman	Weiner
McCarthy (MO)	Roybal-Allard	Weldon (PA)
McCarthy (NY)	Royce	Weyand
McCrery	Rush	Whitfield
McDermott	Ryan (WI)	Wicker
McGovern	Ryun (KS)	Wise
McHugh	Sabo	Wolf
McInnis	Salmon	Woolsey
McIntyre	Sanders	Wu
McKeon	Sandin	Wynn
McKinney	Sawyer	

NAYS—2

Chenoweth-Hage

Paul

NOT VOTING—93

Abercrombie	Dingell	Larson
Barcia	Ehrlich	Lewis (CA)
Barrett (NE)	Everett	Lowe
Bass	Fattah	Lucas (OK)
Bateman	Fowler	Markey
Becerra	Franks (NJ)	Matsui
Berman	Gejdenson	McCollum
Boucher	Gephardt	McIntosh
Brown (FL)	Goodling	Meehan
Brown (OH)	Graham	Miller (FL)
Bryant	Hansen	Miller, George
Burton	Hefley	Mink
Campbell	Hinojosa	Myrick
Cannon	Hulshof	Neal
Carson	Hunter	Nethercutt
Chambliss	Isakson	Owens
Coburn	Istook	Payne
Cooksey	Jefferson	Peterson (PA)
Cox	Johnson (CT)	Pombo
Davis (IL)	Kaptur	Price (NC)
Deal	Kennedy	Rivers
DeGette	Kilpatrick	Rodriguez
DeMint	Kingston	Roukema
Diaz-Balart	Largent	Sanchez

Sanford	Spence	Watts (OK)
Scarborough	Sweeney	Weldon (FL)
Schaffer	Taylor (NC)	Weller
Scott	Tiahrt	Wexler
Shadegg	Turner	Wilson
Shuster	Vento	Young (AK)
Slaughter	Watkins	Young (FL)

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So (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendments were concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. WELLER. Mr. Speaker, on rollcall No. 3, I was inadvertently detained. Had I been present, I would have voted "yea."

Ms. SLAUGHTER. Mr. Speaker, I was unable to be present for rollcall vote No. 3. Had I been present, I would have voted "yea" on rollcall vote No. 3.

Ms. SANCHEZ. Mr. Speaker, during rollcall vote No. 3, I was unavoidably detained. Had I been present, I would have voted "yea."

Mr. SCARBOROUGH. Mr. Speaker, on rollcall No. 3, had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Ms. KILPATRICK. Mr. Speaker, due to district business, I was unable to be present at votes that occurred today. Had I been present, I would have voted "yea" on rollcall 2. H. Con. Res. 244, and "yea" on rollcall 3, H.R. 2130.

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 2990, QUALITY CARE FOR THE UNINSURED ACT OF 1999

Mr. BERRY. Mr. Speaker, pursuant to clause 7(c) of rule XXII, I hereby announce my intention to offer a motion to instruct conferees on H.R. 2990.

The form of the motion is as follows:

I move that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2990 be instructed (1) to take all necessary steps to begin meetings of the conference committee in order to report back expeditiously to the House; and (2) to insist on the provisions of the Bipartisan Consensus Managed Care Improvement Act of 1999 (Division B of H.R. 2990 as passed by the House), and within the scope of the conference to insist that such provisions be paid for.

AIR QUALITY AND AIR POLLUTION IN THE STATE OF TEXAS MUST BE ADDRESSED

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, this evening the environmental agency of the State of Texas will hold a meeting to address the question of air quality and air pollution in the City of Houston in the State of Texas. I rise to the floor to

ask my constituents and the State of Texas to take seriously the devastation that we have experienced with poor air quality. Many of my constituents are already suffering from a high degree of respiratory illnesses. Houston has been noted as the number one city with air pollution.

In addition, we have not come up with solutions that can address the concerns and remedy the problem.

Tonight, although I will not be able to join my constituents in this meeting, I am pleading that we work with the Environmental Protection Agency; that we work with our State environmental agency; that we ask the governor of the State of Texas to join with us to expeditiously formulate a plan that will address the concerns that are devastating our community, poor air quality, poor health conditions; and that this evening we will have an open and vigorous debate and discussion that real solutions can come about at the meeting being held at the Houston-Galveston council tonight at 7:00 p.m. in Houston, Texas; and that we will realize that the Environmental Protection Agency is there to help and not to hurt; and that we will have a plan that will help to enhance the quality of life of all Houstonians in the State of Texas.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. STEARNS). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Mississippi (Mr. PICKERING) is recognized for 5 minutes.

(Mr. PICKERING addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE TITANS ARE TRULY TENNESSEE'S TEAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. CLEMENT) is recognized for 5 minutes.

Mr. CLEMENT. Mr. Speaker, I rise today because of a great game that took place last night that we know of as the Super Bowl that not only captures the hearts and minds of the people in the United States but worldwide, because football is definitely a worldwide sport.

I am from the State of Tennessee. I represent the 5th Congressional District, Nashville, Tennessee, that is known as Country Music U.S.A., the Athens of the South; but we also have something that we are awfully proud of and we just completed a stadium that the Tennessee Titans, who used to be called the Houston Oilers, now play in. We are awfully proud of our team, the Tennessee Titans.

The Titans got their name from Nashville being known as the Athens of the South. We have a replica of the Parthenon in Nashville, Tennessee. So it seemed to make a lot of sense when we talk about why it was named Titans, because of Greek gods and Greek mythology. I might say that the Tennessee Titans rose to the occasion, and what a season they have had.

Mr. Speaker, I rise today in honor of the American Football Conference Champion Tennessee Titans from the 5th Congressional District of Tennessee. The Titans finished their inaugural season at the Adelphia Coliseum in Nashville with an all-time best 13-3 record, and then went on to defeat their foes the Buffalo Bills, the Indianapolis Colts, and the Jacksonville Jaguars, Mr. Speaker, that you supported, in outstanding play-off games, becoming the undisputed champions of the AFC.

The Titans then completed the year with a 16-4 overall record, playing in the football world championship, the Super Bowl, for the first time in the history of the franchise. The entire Titan team is to be commended for their courage, strength, and valor in this inaugural season in Nashville. They have faced adversity over the years, but now they can truly say they have come home to Tennessee.

I also want to congratulate owner Bud Adams, along with coach Jeff Fisher and the entire Titans' coaching staff for steering this team to victory after victory, as well as the Tennessee Titans' fans for being named the best fans in the NFL.

Tennessee may not have won the Super Bowl trophy, but the Titans played their hearts out down to the very last second and made every Tennessean proud. The Titans are truly Tennessee's team. On behalf of Titans' fans everywhere, I want to thank the team for giving us the best season we could have ever dreamed of and for letting the world know that Tennessee is a force to be reckoned with both on and off the field.

Mr. Speaker, I also want to congratulate the St. Louis Rams. What a great season they have had. I want to congratulate Kurt Warner. He is not only the quarterback for the St. Louis Rams but a great man, with great character and great vision who led them to victory last night.

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I also want to say, on behalf of the people of Tennessee, we are pleased to have a professional football team in our great State. In a lot of ways, we thought Memphis deserved it a lot more than Nashville because Memphis had worked so hard for so many years to capture a team. It happened to fall our lot to have the Tennessee Titans, which we consider a State-wide team, not just a local or regional team. But the Tennessee Titans have truly shown that they have a lot of courage. They are going to have great years ahead of

them as well, because we know that they are coming back and getting that much stronger.

I want to congratulate our quarterback, too, our quarterback for the Tennessee Titans and Eddie George and Al Del Greco, and we can go on and on with the great players we have had, and Marcus Robertson, who was hurt in the game before, who was decent enough through his foundation to give us or send four young people to Washington, D.C. to a youth violence event.

Those are the kinds of examples we need in the future, not just football players but football players with courage, football players with character that will set an example to our young people as we move into the 21st century and prepare for the future.

ELIAN AND FREEDOM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

Ms. ROS-LEHTINEN. Mr. Speaker, there are those who doubt the argument that returning Elian Gonzalez to Cuba actually means returning a 6-year-old boy to the Castro regime. There are those who question the importance or relevance of the sacrifice that Elian's mother made to ensure that he would live in freedom. There are still others who would question Elian's ability to express his own desires and to help determine his own fate.

However, those who have lived under totalitarian rule do not doubt. They know what it means to live in fear, in fear of persecution, in fear of arrest, in fear of torture and even death because of one's belief. They have suffered enslavement and subjugation by Communist regimes which not only stole their present but destroyed their future by exerting absolute control over their children's lives. Someone once said, it is easy to take liberty for granted when you have never had it taken from you.

I ask those who seek to oversimplify this case by advocating Elian's immediate return, without a court hearing and without following U.S. law, not to make that mistake. I ask them to hear the pleas of the members of organizations such as the Americans for Human Rights in Ukraine, who are appealing to Congress to act in Elian's case.

They write: "We know from recent past experience that Communist regimes are dangerous to the health and spirit of people under its control." For this reason, this group has asked us "to use our good offices to help a little boy to live in freedom."

I ask Members to listen to Vietnamese-American refugee advocate Hai Tran, who reminds us of how many Vietnamese mothers wiped off their tears and sent their children away to a seat on that rickety boat so that they might have a future, how many Vietnamese mothers and their children died

at sea in search of freedom away from that bamboo gulag. Because he knows the value and the sanctity of freedom, Hai Tran believes it is Elian's right to life and liberty here in the United States.

I ask those who support INS's unilateral decision to return Elian to Cuba to heed the questions proposed by Susan Rosenbluth in her editorial for the newspaper Jewish Voice and Opinion. She writes, "Imagine a Jewish father in Addis Ababa circa 1983, or Moscow circa 1987, or Damascus circa 1990, or Tehran right now.

Imagine the boy's mother finds a way to escape with the child. In the midst of the plan, something goes wrong and she dies, but miraculously, the little boy makes it. When he wakes up, he finds himself in Tel Aviv surrounded by his family, but the father is still in the country where dictators have the last word. Would the boy be returned to whatever totalitarian nightmare his mother had rescued him from?"

Susan Rosenbluth continues, in the Jewish Voice and Opinion, "If our hearts know the right answer for the hypothetical Jewish child in that story, then we must understand that Elian Gonzalez, the little boy whose mother died trying to rescue him from Cuba, belongs in the U.S., and that if his loving father could speak freely, that is what he would say, too.

After focusing on these statements, it is difficult to discount the importance of considering the environment that Elian would be exposed to in Cuba. It becomes readily apparent that a forum must be provided where the mother's wishes and ultimate sacrifice are also evaluated. This can only take place, justice can indeed only be served by allowing a court of law to hear the case.

The INS disagrees because it is applying Cuban law to the case. Congress, however, must be guided by U.S. laws and international standards requiring due process.

President Harry Truman once said, you know that being an American is more than a matter of where your parents come from. It is a belief that all men are created free and equal, and that everyone deserves an even break.

That is my belief, and I know it is my colleagues', as well. I ask that we live up to our commitment to uphold and protect the rights endowed to all human beings, and that we search our consciences before making a summary judgment to send Elian back to Castro's Cuba.

We have an opportunity to make a difference in this little boy's life; to demonstrate, through our actions, our adherence to the principles that are the rubric of our democratic society; to send a message from our resolve on behalf of oppressed men, women, and children everywhere. Let us not squander it.

TRIBUTE TO KURT WARNER, A REAL AMERICAN HERO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

Mr. GUTKNECHT. Mr. Speaker, I rise tonight to talk about a tribute to a very special person. President Reagan once observed that those who say there are no more American heroes, well, they just do not know where to look.

Paul Simon asked a haunting question in his song many years ago, "Where have you gone, Joe DiMaggio? A Nation turns its lonely eyes to you." America has always wanted heroes, and too often in sports we have found counterheroes.

I want to pay tribute tonight to a real American hero, a gentleman by the name of Kurt Warner. The Warner story has been documented in the last week or so by many sports scribes, and I do want to ultimately submit for the RECORD an article which was written by the sports editor of our local newspaper, Bob Brown in the Rochester Post Bulletin.

I guess I have a special feeling for Kurt Warner for a lot of reasons. First of all, his grandparents are from Faribault, Minnesota, which is in my district. Second, he went to the same college that I did, the University of Northern Iowa in Cedar Falls, Iowa. Third, he worked for the Hy-Vee grocery store in Cedar Falls, Iowa, and so did I. Fourth, I guess I would have to say, his wife, Brenda, spent several of her formative years living in a home on West Ninth Street in Cedar Falls, Iowa, right next to my parents.

So I guess I have had a fairly special relationship, even though Kurt Warner and I have never met. But I have followed his career from the time he was at UNI, and I have come to appreciate not only his talents on the field, but the kind of human being that he really is. We saw that yesterday, and we have seen it as his career has developed.

He has kept his head on straight. He has kept his focus on the things that were important in his life. The story is just such a powerful story. It could not have happened to a nicer individual.

The story of Kurt Warner is one that every American should be proud of. He went to college and was red-shirted his first year, spent 3 years on the bench, and finally got his chance to play at the University of Northern Iowa. He led his team to the midconference championship. He was not drafted by anybody in the NFL, but he was allowed to come to the Packers' training camp. He was cut. After he was cut by the Packers he returned to Cedar Falls and worked at that Hy-Vee grocery store I talked about earlier.

The great thing about Kurt Warner is that he never lost his faith. Like the parable of the talents in the Bible, he understood that almighty God had given him special talents, and he was expected to make the most of them, so he stuck with those talents long after

some of the experts would probably have encouraged him to give up.

But the story of Kurt Warner goes on. Not only did he go on to lead the Rams this year to the NFL championship in the Super Bowl and to the MVP award, but I think the story is much more powerful. After the game was over, he gave tribute and paid honor to where the real honor belonged, and he gave all of the glory to his savior, Jesus Christ. I just want to say, it took a special kind of courage for him to do that.

The story, as I say, goes on. Not only has Warner battled obstructions on the field to get where he is, but he has also had his share of off-the-field struggles, as well. His in-laws were killed in a tornado in Mountain View, Arkansas. Kurt and his wife Brenda's oldest son Zachary has been blind since suffering a head injury in an accident when he was a baby. Zachary is only able to see objects that are held very close to his face. He has been that way since he was an infant, when his father, Brenda's first husband, accidentally dropped the child during a bath.

Zachary has head injuries, but Kurt went on to adopt the child. He says later in this interview, "To go home and see how he struggles with everything he does helps keep things in perspective," Warner said. "I have realized how special a child he must be to go through life with the excitement and the joy he has, even though he has to struggle doing everything he does."

The story of Kurt Warner is a powerful story, and we in America I think owe him a big thank you, because for one brief, shining moment, we were all privileged to watch a real hero perform his art and perfect our lives.

On behalf of a grateful Nation, I would like to say a special thank you to Kurt Warner. Good luck to he and his wife Brenda. We wish them only the best. As Paul Harvey would say, lead on.

Mr. Speaker, I include for the RECORD the article of January 29, 2000, from the Post-Bulletin.

The article referred to is as follows:

[From the Post-Bulletin, January 29, 2000]

WARNER HAS STORY TO TELL: QUARTERBACK'S TALE IS MEMORABLE

The story of this Super Bowl is Kurt Warner.

What the St. Louis Rams' quarterback has gone through to become the National Football League's Most Valuable Player this season and to lead his team to the Super Bowl is amazing, utterly amazing.

Here are some things about Warner you might want to keep in mind as you watch him play in Super Bowl XXXIV Sunday against the Tennessee Titans.

He went to high school and college just down Highway 63 from us. Born in Burlington, Iowa, he attended Cedar Rapids Regis High School, lettering in football, basketball and baseball. He played college football at Northern Iowa University in Cedar Falls.

He was redshirted his first year at Northern Iowa, sat the bench for the next three years and started only as a fifth-year senior. Warner wasn't even on full scholarship until

his last year in college. He did pass for 2,747 yards and led Northern Iowa to a Gateway Conference championship in 1993.

Warner wasn't drafted by any NFL teams. He went to the green Bay Packers' training camp in 1994. He was cut before camp was over, but he was there long enough for Packers quarterback Brett Favre to tag him with the nick-name "Pop" Warner.

After he was cut by the Packers he returned to Cedar Falls and worked for six months stocking shelves at the Hy-Vee grocery store there.

Warner went on to play with the Des Moines-based Iowa Barnstormers in the Arena Football League for the next three seasons. He holds virtually all the Barnstormers' passing records, including 79 touchdown passes in one season (1997). He passed for 10,164 yards and 183 touchdowns in three seasons in Iowa.

Warner signed as a free agent with the Rams on Dec. 26, 1997 and then spent the summer of 1998 playing in NFL Europe for the Amsterdam Admirals and led the league in passing and touchdowns.

Warner, a devout Christian, spent time in Amsterdam, a city known for its red light district, leading a bible study class.

Warner rejoined the Rams for the 1998 NFL season, and spent the first 14 games on the inactive list. He saw his first NFL action of his career in the fourth quarter of Rams' final game against San Francisco and completed four of 11 passes for 39 yards.

Warner was back with the Rams this season, only because the Cleveland Browns passed him over in the expansion draft. The line on Warner as he entered this season was: Has potential to develop into a solid quarterback in the league . . . raw talent with outstanding arm strength and accuracy.

The Rams had signed Trent Green who played at Washington last season, to be their quarterback, but he suffered a knee injury in the preseason and was out for the year. In stepped Warner and the rest is history. He led the NFL in passing and with his 41 touchdown passes became only the second player in NFL history to throw for more than 40 touchdowns in a season.

Not only has Warner battled obstacles on the field to get to where he is, but he has had his share of off-the-field hurdles, too. His in-laws were killed in a tornado in Mountain View, Ark., in 1996. Kurt and wife Brenda's oldest Zachary, has been blind since suffering a head injury in an accident when he was a baby.

Zachary, is only able to see objects that are held close to his face. He's been that way since he was an infant, when his father, Brenda's first husband, accidentally dropped the child during a bath. Zachary's head hit the side of the tub, which damaged his brain and ruptured his retinas.

The accident almost killed the child, and doctors warned Brenda that if Zachary lived he'd never be able to see or walk or talk. He survived, despite seizures in the hospital, and when the Warners got married, Kurt adopted the boy, and his sister, Jesse, 8.

"To go home and see how he struggles with everything he does helps me keep things in perspective," Warner said. "I have realized how special a child he must be to go through life with the excitement and joy he has even though he has to struggle doing everything he does."

So that is the Kurt Warner story. It's difficult not to pull for a guy like him.

Mr. DREIER. Mr. Speaker, if the gentleman will yield, I begin by congratulating my very good friend, the gentleman from Minnesota (Mr. GUTKNECHT) for his very thoughtful special order. Representing Los Angeles, the

former home of the Rams, I would like to extend hearty congratulations to Kurt Warner and Dick Vermeil and all associated with the Rams organization for their very impressive and exciting victory towards the end yesterday.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1838, TAIWAN SECURITY ENHANCEMENT ACT

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 106-490) on the resolution (H. Res. 408) providing for consideration of the bill (H.R. 1838) to assist in the enhancement of the security of Taiwan, and for other purposes, which was referred to the House Calendar and ordered to be printed.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. SOUDER) is recognized for 5 minutes.

(Mr. SOUDER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Idaho (Mrs. CHENOWETH-HAGE) is recognized for 5 minutes.

(Mrs. CHENOWETH-HAGE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

INTRODUCTION OF LEGISLATION TO PROMOTE PIPELINE SAFETY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. METCALF) is recognized for 5 minutes.

Mr. METCALF. Mr. Speaker, on June 10, 1999, a liquid gasoline pipeline owned by the Olympic Pipeline Company ruptured and spilled over 200,000 gallons of gasoline at Whatcom Falls Park, a 241-acre park in my district in the city of Bellingham. Gasoline was carried into Whatcom Creek, where it reportedly filled the creek at depths of up to 10 feet.

The spilled fuel was inadvertently ignited by two 10-year-old boys, Wade King and Stephen Tsiourvas, who were playing with bottle rockets at the creek. The resulting fireball raced down the length of the creek for a mile and a half, killing King, Tsiourvas, and an 18-year-old fly fisherman named Liam Wood. Swaths as wide as 200 feet along the creek were burned within minutes.

The explosion of June 10 caused millions of dollars in property damage and did immeasurable harm to the families and friends of Wade King, Stephen Tsiourvas, and Liam Wood.

I have long held reservations about our system of pipeline safety regulations. In 1996, I voted against the pipeline deregulation bill because I felt it

removed too many essential safeguards. Since the tragedy, I have redoubled my efforts to improve the regulatory climate.

I have been in close contact with industry, public interest groups, local officials, Federal regulators, and constituents.

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The bill that I have introduced today addresses several concerns. Under my legislation, number one, pipelines will be required to be inspected both internally and with hydrostatic tests. Pipelines with a history of leaks will be specifically targeted for more strenuous testing. All pipeline operators will be tested for qualifications and certified by the Department of Transportation.

The results of pipeline tests and inspections will be made available to the public and a nationwide map of all pipeline locations will be placed on the Internet where ordinary citizens can easily access it. All pipeline ruptures and spills of more than 40 gallons will be reported to the Federal Office of Pipeline Safety. And States will be able to set up their own pipeline safety programs for interstate pipelines.

In addition, the bill requires studies on various technologies that may improve safety such as external leak detection systems and double-walled pipelines.

The bill has already bipartisan support. My distinguished colleagues, the gentlewoman from Washington (Ms. DUNN), the gentleman from Washington (Mr. INSLEE), and the gentleman from Washington (Mr. SMITH) have agreed to cosponsor; and I thank them very much for that.

Mr. Speaker, we hope to move this legislation through Congress and I hope the rest of my colleagues can join with me in support of this bipartisan proposal.

CBO COST ESTIMATE ON H.R. 1838, TAIWAN SECURITY ENHANCEMENT ACT

The SPEAKER pro tempore (Mr. GREEN of Wisconsin). Under a previous order of the House, the gentleman from New York (Mr. GILMAN) is recognized for 5 minutes.

Mr. GILMAN. Mr. Speaker, set forth below is the cost estimate of the Congressional Budget Office on H.R. 1838, the "Taiwan Security Enhancement Act." This estimate was not available on October 28, 1999, when the Committee on International Relations filed its report on H.R. 1838.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE—
H.R. 1838, TAIWAN SECURITY ENHANCEMENT ACT

H.R. 1838 would emphasize the security relationship between the United States and Taiwan. Specifically, the bill would authorize an increase in the technical staff at the American Institute in Taiwan, and would require the Administration to report on Taiwan's defense needs, its security situation, and the United States' ability to respond to contingencies in the Asia-Pacific region. Also, the bill would require the Administra-

tion to enhance the opportunities for training and exchanges of Taiwanese officers at U.S. military schools and academies. CBO estimates that enacting the bill would have no significant budgetary effect.

According to the Department of Defense (DoD), implementing H.R. 1838 would not require any additional staff because DoD has already increased the number of technical staff at the American Institute in Taiwan during the last year. CBO estimates that preparing the required reports would not increase costs significantly, and any additional officer training and exchanges would be paid in full by Taiwan. The funds for training and exchanges would flow through the foreign military sales trust fund—a direct spending account. Because the bill could affect direct spending, pay-as-you-go procedures would apply; however, CBO estimates that the net effect of any increase in collections and outlays would not be significant.

H.R. 1838 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would not affect the budgets of state, local, or tribal governments.

The estimate was prepared by Joseph C. Whitehill. The estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

PRESIDENTIAL CANDIDATES SHOULD RAISE CAMPAIGNS TO HIGHER LEVEL OF TRUTHFUL- NESS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. SCARBOROUGH) is recognized for 5 minutes.

Mr. SCARBOROUGH. Mr. Speaker, I know many Americans and also an awful lot of people in Washington, D.C., are focusing intently on what is going on in New Hampshire, not only tonight but over the past several weeks. We are obviously in the midst of a presidential primary season. It is very exciting to watch the democratic process playing itself out seeing who is going to be elected the next President of this great republic.

It has not been too surprising to see the differences between the Republican and the Democratic Party. The Republicans obviously have five or six conservative candidates whose fight mainly centers around who wants to cut taxes more, who wants to cut the size and scope of this mammoth bureaucracy, who wants to spend less and promote greater freedoms for individuals across the country.

Likewise, it is not a surprise that the Democratic primary has been consumed by battles, a left-wing battle for those swinging wildly for the most extreme elements of the Democratic left, whether it be in Iowa or New Hampshire.

They are fighting for bigger government. They are fighting for higher taxes, fighting for Federal funding of abortion on demand, not only here but also across the globe, and they are also fighting for socializing medicine, the same schemes that were rejected in 1994 by Americans.

Now, that is also not a surprise to most observers. But what is surprising,

I think, to many observers have been the exploits of the Democratic front runner, Albert Gore. I say it is surprising because he has shown a remarkable disregard for telling the truth in his campaign battle against Senator Bradley.

In the USA Today today, Walter Shapiro, who is a regular columnist who writes "Hype and Glory," wrote this:

"To tell the truth, Al Gore is having trouble out there. There he goes again. Al Gore simply can't help himself. With his veracity challenged by Bill Bradley and questioned in recent news stories, Gore might have been expected to use his major campaign event Sunday to end the final weekend before the New Hampshire primary on a high note. Instead, the Vice President, stretching truth as if he were competing in a taffy pull, went after Bradley with the kind of rhetorical overkill that made . . . Ted Kennedy standing next to Gore seem like Caspar Milquetoast."

"Speaking to both passionate supporters and still-wavering undecided voters, Gore dispensed with any pretense of subtlety in his new super-hero role . . . Gore used the word 'fight' . . . 44 times in roughly a 20-minute speech . . . But what was the most stunning about the Gore speech was not the Rocky imagery, but unabashed and unashamed mendacity."

Shapiro goes on to say, "Remember, Gore is the same candidate who insisted in Wednesday night's debate that, 'There has never been a time in this campaign that I have said something that I know to be untrue.'" Shapiro went on to say either GORE, "in both his Gingrich and abortion comments, enjoys a very permissive definition of 'untrue' or else his judgment is highly suspect if he actually believes his own over-the-top claims."

And I am quoting still from Shapiro in USA Today: "The Boston Globe disclosed Friday that during Gore's stuttering presidential campaign in 1988, his press secretary . . . warned the candidate in a memo, 'Your main pitfall is exaggeration.' This character flaw, this relentless willingness to prevaricate and demonize his opponents, might have been barely excusable in a young Senator making a premature run for the White House. But," in the words of Shapiro, "it is deeply troubling in a senior statesman who has served two terms as Vice President."

Walter Shapiro concludes by talking about how Bill Bradley has been trying to elevate the Democratic primary, whether one agrees with some of the most liberal tenets in his platform or not. "But if politics is ever again to become a higher moral calling than, say, commodities trading or running a talent agency in Hollywood, then candidates must be held responsible for the tenor and the truthfulness of their campaigns. And that means you, Mr. Vice President."

Mr. Speaker, I have got to say, I was struck not only by the timing of this article, because I was absolutely

stunned yesterday when AL GORE, campaigning in New Hampshire, criticized Bill Bradley for injecting Willie Horton into the New Hampshire primary, when all Mr. Bradley was saying was that it was Mr. GORE and not George Bush who injected Willie Horton into the campaign in 1988. And so then the Vice President turns around and attacks Bill Bradley for telling the American people who first introduced Americans to Willie Horton.

Likewise, he criticized Mr. Bradley for hurting the pro-choice movement for pointing out the fact that Mr. GORE has been extraordinarily inconsistent on the issue of pro-choice. I certainly hope that he and all other candidates, Republicans and Democrats, can raise this campaign to a higher level.

MARRIAGE TAX PENALTY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from Illinois (Mr. WELLER) is recognized for 60 minutes as the designee of the majority leader.

Mr. WELLER. Mr. Speaker, this is a great opportunity this evening to talk about an issue that many of us have raised in this Congress over the last several years. That is an issue that really is a fundamental issue of fairness, an issue of fairness that the American people have been asking some pretty basic questions about over the last several years.

I represent the south side of Chicago, the south suburbs in Cook and Will Counties, as well as bedroom communities and farm communities in Illinois. And I found, whether I was in the steel workers union hall in Hegewish or a neighborhood in Chicago or at the local legion post in Joliet or the local grain elevator in Tonica, people often ask a basic question: Is it right, is it fair that under our Tax Code that the average married working couple pays higher taxes just because they are married? They say why do the folks in Washington allow a Tax Code to be in place that tells us that if we choose to get married and work, we are going to pay more in taxes?

Mr. Speaker, they are stunned when they learn that 28 million married working couples pay an average \$1,400 more in higher taxes just because they are married.

Clearly, the marriage tax penalty suffered by working married people is fundamentally wrong and something we should change. I am so pleased that the leadership of this House, the Speaker of the House, the gentleman from Illinois (Mr. HASTERT), has made reduction and elimination of the marriage tax penalty the first priority this year. First out of the box and on a fast track as a tax-related initiative to help middle-class families.

The marriage tax penalty has been in place for almost 30 years, and no one has gone back to fix it. I am pleased this Republican Congress has made a

decision to bring fairness to the Tax Code by working to eliminate the marriage tax penalty.

The marriage tax penalty is something that affects real people. I have a photo here of a young couple from Joliet, Illinois, Shad and Michelle Hallihan, two school teachers. They teach in the local public schools in Joliet. Shad and Michelle suffer a marriage tax penalty of almost a thousand dollars because they are married. They recently had a child, a baby. And as Michelle Hallihan pointed out to me, she said that \$1,000 the marriage tax penalty that they suffer, that is 3,000 diapers that they can buy for their child that goes to Uncle Sam instead of taking care of their child. It is real money.

Mr. Speaker, \$1,400 in Joliet, Illinois, where Shad and Michelle live is one year's tuition at Joliet Community College, and it is 3 months of day care at a local day care center.

Let me explain how it came about. Our Tax Code has grown more complicated and since the late 1960s, married working couples, moms and dads, husbands and wives with two incomes have paid higher taxes just because they are married. Of course, we have made this a priority, and I would like to announce, of course, this Wednesday, the Committee on Ways and Means is going to be marking up, committee action will occur on legislation essentially to wipe out the marriage tax penalty for almost 28 million married work couples. A real change that is going to help people.

Mr. Speaker, this is how the marriage tax penalty works. Take a machinist and a school teacher in the south suburbs of Chicago. They have identical incomes. This machinist is making \$31,500 as a single person. Under our Tax Code, he is going to be taxed at 15 percent rate. So he meets a school teacher, a gal with an identical income of \$31,500, and they choose to get married. And at the point they choose to get married, they begin filing their taxes jointly.

When we file our taxes jointly, we combine our two incomes. In this case, this machinist and school teacher who previously were taxed at 15 percent, because they chose to get married, their combined income pushes their combined income to \$63,000. They pay almost \$1,400 more in higher taxes because they are pushed, under our Tax Code, into the 28 percent tax bracket, the higher tax bracket. That is wrong, but today that is the current situation for working married couples. So, really, the incentives is in the wrong place. Marriage is one of the most basic institutions in our society, and our Tax Code punishes marriage.

I would point out that had this machinist and school teacher chose to live together outside of marriage, they would not suffer that extra tax. Only when they choose to get married do they pay that higher tax. And I think we all agree, that is wrong that we im-

pose higher taxes on married working people.

I am proud to say that the House Republican leadership, under the leadership of Speaker Hastert, has made elimination of the marriage tax penalty our first initiative in an effort to bring fairness to the Tax Code and lower the tax burden on working families. This afternoon, the gentleman from Texas (Mr. ARCHER) unveiled the legislation that will provide tax relief for 28 million married working couples. It is similar, almost identical in many ways, to the Marriage Tax Elimination Act, H.R. 6, legislation that we introduced earlier this year which now has 230 cosponsors, and overwhelming majority of Republicans; and I am pleased that 12 Democrats have joined with us in an effort to make this a bipartisan proposal.

Mr. Speaker, let me briefly share what the proposal that we will be working on in the Committee on Ways and Means on Wednesday will do. It is the goal of the House to act and approve and send to the Senate by February 14, Valentine's Day, our effort to wipe out the marriage tax penalty.

Think about it. What better Valentine's Day gift to give 28 million married working people than elimination of the marriage tax penalty. This legislation will essentially wipe out the marriage tax penalty for almost everybody who suffers it. That will be a big change in our Tax Code.

The legislation that we will be acting on and voting out of the House in the next couple of weeks will help 28 million married working couples. For those who do not itemize their taxes, they will see immediately \$230 dollars in marriage tax relief. For those who itemize because they own a home, they will see \$1,400 marriage tax relief under this legislation.

I would point out that this makes a big difference. Under our plan, we provide immediate marriage tax relief in 2001, next year, helping millions of couples. And because we double the standard deduction for those who do not itemize for joint filers to twice that of singles, 3 million married working couples will see their Tax Code simplified because they will no longer need to itemize and fill out extra forms. So we make filing for taxes easier.

And for those who do itemize, primarily homeowners, they will see marriage tax relief as well. Twenty-eight million married work couples will see up to \$1,400 in marriage tax relief as a result of what the Committee on Ways and Means will approve on Wednesday, and I expect that an overwhelming majority of this House will see it approved before Valentine's Day. What a great Valentine's Day gift that we can give 28 million married working couples, elimination of the marriage tax penalty.

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I am joined by a number of my colleagues today who have been real leaders in the effort to eliminate the marriage tax penalty.

As I pointed out earlier, of the 435 Members of this House, we need 217 to pass a bill. So an overwhelming majority of the House have joined in cosponsoring this bill. I am joined today by a number of cosponsors of this legislation who have stepped forward and fought hard to eliminate the marriage tax penalty.

Mr. Speaker, at this time I would like to yield to the gentlewoman from Illinois (Mrs. BIGGERT). I appreciate her participating in today's special order.

Mrs. BIGGERT. Mr. Speaker, I thank the gentleman very much for yielding.

I would like to commend my colleague from Illinois (Mr. WELLER) for his dedication and commitment to the issue of the marriage tax penalty that we are discussing here tonight.

Mr. Speaker, certainly the Federal Government taxes work, savings, investment, entrepreneurship, risk taking, creativity, ingenuity, even death. And you name it, Washington taxes it; and sometimes Washington taxes it twice or three times. So it should come as no surprise that the Federal Government taxes marriage.

That is right: 28 million working American couples pay higher taxes simply because they are married. The Tax Code punishes working couples by pushing them into a higher tax bracket, effectively taxing the income of the second wage earner at a much higher rate than if he or she were taxed only as an individual.

We are not talking about pennies, either. These families pay an average of \$1,400 more in taxes. This is money that could be used to buy a family computer, improve their homes, or save for their children's education.

For years, Republicans, led by my colleague from Illinois (Mr. WELLER), have led the fight to eliminate the marriage penalty. A bipartisan majority of the House supports his legislation to do away with the marriage penalty. We included it in our tax relief bill last year.

Unfortunately, the President vetoed that bill and the significant marriage penalty relief it provided. Now we hear from the President that he wants to provide marriage penalty relief. I think that is great, and I think we would welcome his support. So next month, when the House passes the significant marriage penalty relief for the second time in the 106th Congress, and I think it is a great idea to have that on February 14, Valentine's Day, when we pass that in the House, the President will have the opportunity to prove that his support is more than the State of the Union talk.

There is no way around it. The Tax Code attacks one of society's most basic institutions, marriage. So with the President and the Congress in agreement on the need to provide marriage penalty relief, now is the time to back up our words with action and bring tax equity for working families.

So, again, I commend my colleague from the district right next to mine for

the work that he has done. I think it is important to note that the bill that will be before the House Committee on Ways and Means will provide even more benefits and actually improves the bill that has been before us before in that it will provide relief in a shorter time and more relief. This is an area that we have been working on for so long.

Mr. WELLER. Mr. Speaker, reclaiming my time, I want to thank my friend and colleague from Illinois (Mrs. BIGGERT) for her leadership and efforts to eliminate the marriage tax penalty.

In suburban districts like my colleague from Illinois, we have many homeowners; and one of the provisions that is so important in our legislation that the committee will be acting on on Wednesday and the House voting on around Valentine's Day is that we help those who itemize who suffer the marriage tax penalty, as well.

If they own a home and they have to pay mortgage interest and they pay property taxes and they combine those two, that usually causes them to itemize their taxes. So I appreciate very much her leadership.

One other area I would like to point out that is so important about the legislation that we will be acting on in the Committee on Ways and Means and the House voting on within the next 2 weeks is that we help 28 million married working couples, and also we help those poor families, working families, who participate in earned income tax credit by working to offset a marriage tax credit that they suffer, as well. So low-income families and low-income working families benefit from the legislation that we are passing, as well.

Another thing I would like to point out is that people often say, if the House moves quickly and the House is really showing leadership on this, is the Senate going to act on it, too? I would like to point out, too, that Chairman ROTH of the Senate Finance Committee today praised the gentleman from Texas (Chairman ARCHER) for the speedy start of the House in this effort to eliminate the marriage tax penalty and that he intends to move similar legislation in the coming months.

That is good news because we want to make elimination of the marriage tax penalty our top priority first out of the box and on a fast track to help 28 million married working couples.

Mr. Speaker, I see the gentleman from Minnesota (Mr. GUTKNECHT), my friend, who has been a tremendous leader here on this effort to eliminate the marriage tax penalty and who is one of the first ones to say this is something that the House needs to do. I want to thank him for that.

I am happy to yield to the gentleman from Minnesota (Mr. GUTKNECHT).

Mr. GUTKNECHT. Mr. Speaker, I thank my colleague from Illinois for yielding.

The gentleman from Illinois (Mr. WELLER) and I came together in the

Class of '94, and there were a number of things that we learned when we first came here. First of all, we had this huge budget deficit that we were wrestling with, \$240-plus billion.

When we first came here, the Congressional Budget Office told us after the President submitted his first budget that we would see deficits of over \$200 billion as far as the eye could see.

There were a number of problems here in Washington. One of the first things we did is that we said we are going to make Washington live by the same laws as everybody else and so that Congress is no longer exempt when we pass new laws.

We balanced that budget. We reformed the welfare system. And today over half of the people who were receiving welfare checks 5 years ago are now receiving payroll checks. We made a tremendous contribution, and I think we have moved the country in the right direction. This is just the next installment of the Republican agenda.

I was surprised to learn how many people in America were paying extra taxes just because they were married. That is just not bad tax policy; that is not just bad family policy. At the end of the day there is something almost fundamentally immoral for us as a Federal Government to say they are going to pay extra taxes just because they have a marriage license. That is bad policy, and we are finally in a position where we can stop it.

I want to remind my colleagues and others who may be watching this that if they would just like to check and see, if they have got a married couple where they are both working, both earning approximately the same income, and I think the example of my colleague is a good one, I was in several schools in the last couple of weeks in my district talking with teachers about education policy and other things, but it was interesting how many times the issue of the marriage penalty came up in my conversations with teachers.

The reason is that there are an awful lot of teachers who are married to each other and they pay this marriage penalty. And so we have set up on our Web site and if people would go to "gil.house.gov" there is a calculator there and they can do a quick calculation. Now, it is not exactly IRS approved, but it will give them a very close calculation of what they are paying currently in terms of extra taxes just because they are married.

So if any of my colleagues would like to check that, they can go to my Web site, I think some other Members have it on their Web sites as well, but "gil.house.gov" and they can actually find out how much of a penalty in extra taxes they may be paying simply because they have a wedding license. Bad tax policy. Bad family policy. And as far as I am concerned, fundamentally immoral.

Mr. Speaker, I want to thank the gentleman from Illinois (Mr. WELLER)

for his leadership. And I want to remind people that we are going to continue to do the hard work of balancing the budget, of saving Social Security, of paying down debt, and providing real tax relief for working families. They are not mutually exclusive.

One of the other issues that I have been pushing and I know my colleague has as well is that we are going to take these things one thing at a time. Last year we had a very good tax bill. It was \$692 billion. But unfortunately I think in the eyes of a lot of Americans, 692 billion is sort of an amorphous thing. And so, this year we are going to tackle these issues one at a time as the resources, as the surpluses actually develop.

We are going to take the marriage penalty tax first. I would hope then very shortly afterwards as we develop more surpluses as the revenues come in that we would take a serious look at the death tax. And if we cannot eliminate it, let us at least simplify it and make the system fair. Because, again, I think it is fundamentally immoral to have a 55 percent tax rate, a tax rate that quickly escalates to 55 percent. That is confiscatory and, as I say, it is fundamentally immoral.

So there are some other things we need to tackle in this year, and I think we are going to demonstrate early on that we are going to continue to do the hard work of balancing budgets, of saving Social Security, of actually paying down some of that national debt, and at the same time providing significant and important tax relief for those working families out there who work so hard every week. We know, at the end of the day, those families know how to spend this money a whole lot smarter than bureaucrats here in Washington.

So I just wanted to rise and speak in strong support for this bill and do what we can to work through the process to get it through the House, get it through the Senate, and get it to the President's desk. Because I am convinced we are going to have overwhelming majorities on both sides of the political aisle here in the House and as well as the Senate; and I think that, at the end of the day, the President will sign this bill and very soon couples like this one will not have to pay extra taxes just because they are married.

Mr. WELLER. Mr. Speaker, reclaiming my time, I thank the gentleman from Minnesota (Mr. GUTKNECHT) for his leadership and for his participation tonight in explaining the marriage tax penalty, what it is and why it is wrong and what we are going to do about it.

I look back, in listening to my colleague's comments, to 5 years ago when he and I were elected as part of the Class of 1994; and if we think about it back then, think of the issues that were facing us. Congress and the President had just imposed the biggest tax increase in the history of this country on the American people, putting the

tax burden at the highest level it had ever been in peacetime history. The Federal Government was looking at \$200 billion to \$300 billion in deficit spending for the foreseeable future. More children were living in poverty than ever before. There was a rogue IRS running amuck amongst families and small business.

We brought about some fundamental changes during the last 5 years. We balanced the budget for the first time in 28 years. We cut taxes for the middle class for the first time in 16 years. And in the State I represent, in Illinois, 3 million Illinois children now benefit from that \$500-per-child tax credit that was part of our middle-class tax relief.

Remember all those times we were told time and time again that it was radical, it was crazy, how can you balance the budget and cut taxes at the same time?

Mr. GUTKNECHT. Mr. Speaker, if the gentleman would continue to yield, I think the comment was that, if you go ahead with these reckless tax cuts, lowering capital gains tax rates, remember, we were going to lower the top capital gains tax rate from 28 percent to 20 percent. That represents a 30-percent cut. And some of our colleagues on the left said, well, you are going to blow a hole in the budget. I wonder how many times we heard that expression.

Well, the interesting thing is we lowered the capital gains tax rate, and we have actually seen more revenue coming into the Federal Government. As more people convert assets that are not producing the way they want to into other assets, they recognize that gain, they pay the taxes. When you increase economic activity, you increase revenue to the Federal Government. When you allow people to keep more of their own money, revenue to the Federal Government goes up because they spend that money, and it gets recycled through the private economy.

Here again is one classic example. This marriage penalty is the next big log that is going to fall. And this will be a tremendous victory. I was surprised to learn, 28 million American couples paying a penalty of an average of \$1,400.

We have made tremendous progress. There is still a lot to be done, but we are not going to give up with just this. This will be the next step. As we go forward, I think more and more Americans will see that this will benefit not only a lot of working families but it will benefit the economy as well.

Mr. WELLER. Mr. Speaker, reclaiming my time, as the gentleman from Minnesota (Mr. GUTKNECHT) pointed out, there has been fundamental change over the last 5 years, balancing the budget, cutting taxes for the middle class. We, of course, passed welfare reform into law, the first real welfare reform in a generation. In my home State of Illinois, we have seen a 50-percent, one-half of our welfare roles have been cut in half as a result of welfare

reform. We reformed the Internal Revenue Service, shifting the burden of proof off the backs of taxpayers onto the IRS. That is a fundamental change.

We also did something this past year that was very much in response to what I hear from the folks back home in Illinois. We stopped the raid on Social Security. For the first time in 30 years, we balanced the budget without spending one dime of Social Security, setting aside \$137 billion of Social Security for Social Security and Medicare, a big fundamental change.

I am also asked about what are people doing about paying down the national debt. We have paid down \$350 billion of the national debt. We are going to adopt a budget later this year that is going to eliminate the national debt over the next 13 to 15 to 20 years. That will be another fundamental change.

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That is why I am happy to yield to the gentleman from Virginia (Mr. GOODLATTE) who has been another real strong leader in our efforts to eliminate the marriage tax penalty and help 28 million married working couples. When we think about that, 28 million married working couples, that means 56 million working Americans suffer higher taxes just because they are married. I am happy to yield to the gentleman from Virginia.

Mr. GOODLATTE. I thank the gentleman for yielding. I especially want to thank and congratulate him for his effort in this matter. I know that he has introduced, along with the gentleman from Indiana (Mr. MCINTOSH) and the gentlewoman from Missouri (Ms. DANNER), a Democrat, H.R. 6 to eliminate the marriage tax penalty. I am pleased to be a cosponsor of that legislation along with the gentleman from Minnesota and many others because it is long overdue.

As has already been noted, we attempted to do that in the tax package that we passed last year that was unfortunately vetoed by the President. This time we are going to go back, put it right on the line and say that we are going to introduce a bill, produce a bill that simply eliminates the marriage tax penalty.

For the last year and a half, I have discussed it at every single one of the dozens of town meetings that I have conducted across my congressional district. Every time I bring this up, I can just see everybody in the audience nodding their heads in agreement. They understand this issue. I use exactly the illustration that the gentleman from Illinois referred to earlier and he has provided to other Members. I take that to them. I say, you have a couple, each earning \$31,500 per year for a combined income of \$63,000. If they are married, they will pay nearly \$1,300 a year more than the same two people with the same two jobs living in the same household with the same income. People understand that that is totally contrary to good public policy. It discourages marriage, it discourages people

from being forthright with their income and their taxes.

We need to change that. Fairness is fairness. The American public understands this. Poll after poll has reflected what each one of us knows from our meetings with our constituents as well.

There was a recent poll by Wirthlin Worldwide that showed that 85 percent of Americans believe that the marriage tax penalty is unfair, and 80 percent of them favor the elimination of the marriage tax penalty. Eighty-nine percent of married women and 89 percent of working and married mothers are among those who strongly believe that the marriage tax penalty is unfair. And more than two-thirds of all Americans, according to a Harris Poll, believe that the budget surplus should be used to eliminate or reduce the marriage tax penalty.

I think that this is something that the American people expect us to do. It is a disappointment when we put forward an effort like that along with other very reasonable tax cuts directed at improving our economy, creating more jobs and helping hardworking American families who right now face the highest level of taxation they have ever faced, to veto something like that. I am hopeful that this time we will have the President's help in getting real, meaningful tax cuts in place here.

If we look at the average American family, not wealthy people but the average American family, when we add up what they pay in Federal, State and local taxes, it comes to about 40 percent of the average family's income. That is more than the average family spends on food, clothing and shelter combined. When we add on top of that a penalty for being married and having both members of the household having to go out and work in order to support their family, it is truly an outrage that this condition in our tax code has been allowed to persist as long as it has. I am pleased with the commitment of our leadership to move this legislation forward. I know we will have bipartisan support for it. It is my hope that we will pass this legislation as quickly as possible and get this tax relief to working families as quickly as possible.

Mr. WELLER. I thank the gentleman from Virginia for his leadership and efforts on working to eliminate the marriage tax penalty. When we think about it, \$1,400 in Washington, D.C. is a drop in the bucket. There are always those, particularly on the far left side of things, who think that we should keep this money in Washington. They think that \$1,400 really does not matter much back in Illinois or Minnesota or in Virginia; and, of course, that is really nothing here when they spend billions of dollars in the Congress. But let me just share with my colleagues what \$1,400 means in the south suburbs, in the south side of Chicago:

\$1,400 is 3 months of child care at a local day care center in Joliet, Illinois. It is a year at Joliet Junior College, our local community college, 1 year's

college tuition. \$1,400, the average marriage tax penalty, is 4 months of car payments for the average family. It is school clothes for the kids. As Michelle Hallihan pointed out, that \$1,000 marriage tax penalty that Shad and Michelle Hallihan, two public school teachers in Joliet, Illinois, that they have to pay just because they are married, that \$1,000 is 3,000 diapers for their newborn child.

Of course it is a family vacation. It is a computer for the kids to help them in their school. It is several months of health insurance premiums. It is a down payment for many first-time homebuyers on a home. It is also a majority of the contribution to an IRA. It is real money for real people. For some in Washington, it is no big deal. But for folks in Minnesota and Virginia and Illinois and all across this country, 56 million married people, it is real money, \$1,400, the average marriage tax penalty.

Mr. GUTKNECHT. If the gentleman from Illinois will yield, it is interesting, we have had several of my staffers over the last couple of years who have gotten married. In fact, we had two people working on my staff who married each other. We did the calculation for them. It was \$1,400, an extra \$1,400 in taxes that they were going to have to pay that they would not have had to pay if they would have simply lived together.

We look at this wonderful picture of these two young people here and we think principally about young people getting married. But I was at a meeting with some seniors and one of them came up to me with kind of a funny look on his face and he said, "I hope you do something about this marriage penalty." I said, "Really? Why?" He said, "Well, I'm facing kind of an ethical dilemma myself as to whether or not this woman I'm now seeing and I should get married, because we realized with our particular financial situations, we're going to pay a penalty of over a thousand dollars if we get married. It really puts us in sort of a moral dilemma because we know what the right thing to do is but the government shouldn't encourage you to do the wrong thing."

As we look at the reforms that we have passed in the last 5 years, since the Republicans took control of this place, they really are about reversing what I think is one of the unwritten rules of Washington, and, that is, no good deed goes unpunished. That was the rule for many years in Washington. If you worked, you got punished. If you saved, you got punished. If you invested, you were punished. If you tried to create jobs and create wealth, you were punished, whether it was the EPA or the tax code or whatever.

There was sort of this unwritten rule. In fact, it even applied to Medicare. Some of us know that live in more rural parts of the country that our hospitals get lower reimbursements because they have lower cost hospitals.

No good deed goes unpunished. This is one more example where we can strike a blow and say that unwritten rule of Washington needs to end.

It is not just about young people. It is about people of all ages. It is bad tax policy. We have a chance to eliminate it. I am delighted we are going to take this tax issue one slice at a time, starting with the marriage penalty. Let us put them on the President's desk and let him explain why if he thinks he should not sign this bill. Because I think the American people are way out in front of us on this.

Mr. GOODLATTE. If the gentleman will yield, I think the gentleman from Minnesota is right on when he points out that this is not just for newlyweds, it is for anybody who is married at any time in their life, for senior citizens who may have lost their spouse and are considering remarrying and they have got a whole host of questions to be answered about does it make sense to remarry or not or should we just live together, which I think is a real concern for a lot of senior citizens. We should take this issue off of the table for them. They should feel like if the thing that they need is to have a loved one sharing their home with them, that they can feel free to be married and not pay a \$1,400 or more penalty.

The other point to make here is that while there is a diverse array of people who are benefited by this, one thing, the overwhelming majority of them have in common and that is that these are middle class and lower middle-income people in our country who are benefitting from this overwhelmingly. The vast majority of people are where the larger wage earner of the two is between \$20,000 a year and \$75,000 a year.

So we are talking about people who are working hard and needing every bit of the money that they earn in order to meet all of their obligations that they have in raising children and paying rent and putting food on the table and so on. This is something that really reaches out to people across all across America. I think it is overwhelmingly of benefit to, as I say, hardworking American families who are pressed into that category of spending an average of 40 percent of their income on taxes. They do not feel like they are getting 40 percent back of all that hard work in the form of benefits for those taxes compared to what they get for food and clothing and shelter that they spend less on than they spend on those taxes.

Mr. WELLER. The gentleman from Virginia made a good point. The marriage tax penalty is an issue that is faced by average, middle class Americans. If you pay the average marriage tax penalty, you make about \$62,000 a year in combined income, between two hardworking Americans, husband and wife, joined together in marriage who under our tax code they file, they file jointly when they are married, are now paying the marriage tax penalty. It is very much a middle class issue. Of course, a proposal that we are going to

be acting on in the Committee on Ways and Means on Wednesday and the House voting on by Valentine's Day, of course, will also help low-income families as well.

As I pointed out, we are working to address the marriage tax penalty, but for those who participate in the earned income credit, a program to help particularly families with children make ends meet, those who work hard, have low incomes and ensure that they have got enough to get by to take care of the kids' and their families' needs. We are not only working to help the middle class but we are also helping lower income working families as well with this initiative this House is going to vote on.

Mr. GUTKNECHT. If the gentleman will yield, we are probably going to hear from some of our friends on the left that if we provide this tax relief, it is going to mean that there is going to be less money to spend on education and health care and some other important things. But to paraphrase one of our colleagues over in the Senate, the other body, he once observed that this is not a debate about how much is going to be spent on children or education or health care, it is a debate about who gets to do the spending.

I know the family and I know the Federal Government, and I will bet on the family every single time, because that couple which represents those other millions and millions of couples around the country, I have every confidence that they know how to spend their money smarter than Washington does on their behalf. They are going to spend that money on children. They are going to spend that money on education. They are going to spend that money on health care. They are going to spend that money on making certain that their family's needs are met.

As our colleague from Virginia indicated earlier, right now in America today, this is a shocking statistic, that the average family spends more on taxes, we are talking about State, Federal and local but in total taxes, that average family spends more for taxes than they do for food, clothing and shelter combined. There is something wrong in America today when the tax collector takes first interest on all the money that families earn.

This is just one very small, well, not small, this is one major but very important step that we can strike on behalf of American families around the country. Again, I congratulate the gentleman from Illinois, I congratulate the leadership in this Congress. I do believe that it is going to pass overwhelmingly on a bipartisan vote and then go to the Senate.

I think some people are going to throw out the thing, well, it is going to blow a hole in the budget. That is not true. If we control Federal spending, there is more than enough money to balance the budget, make certain that every penny of Social Security taxes goes only for Social Security, there is

more than enough money to begin to really pay down that debt, and there is more than enough money to make certain that American families are treated fairly. That is really what this is all about.

Mr. WELLER. The gentleman pointed out something that is so true. That is, that this year as we work to balance the budget for the fourth year in a row, we are going to be adopting a plan that once again sets aside 100 percent of Social Security for Social Security, walling off the Social Security trust fund so it cannot be used for anything else, stopping the raid on Social Security. Again which is one of the Republican priorities.

We are also going to, of course, strengthen our schools; and we are going to pay down the national debt. But as we work to address the issue of fairness in the tax code, I find in the south side of Chicago and in the south suburbs that I have the privilege of representing in Illinois, people say, "My tax burden is too high." They point out that 40 percent of the average Illinois family's income goes to government in Washington, in the State capital, the local courthouse, of course in local, State and Federal taxes and that it is the highest tax burden in peacetime history.

Only at the end of World War II has our tax burden on our Nation been higher than it is today. They complain about that. They are unhappy that this tax burden is so high. They are frustrated because they feel they can better spend those dollars. The other point they always make to me is they are frustrated about how complicated and unfair the tax code is. They think it is wrong that under our tax code that 28 million married working couples pay higher taxes just because they are married.

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That is wrong. Think about it, \$1,400, one year's college tuition. The gentleman from Minnesota also brought up another point. It is not just young couples, like Shad and Michelle Hallihan, but it is older Americans, retirees; and they have two pensions that they are collecting, and with their two pensions they are paying a marriage tax penalty.

If you think about it, those in their later years, health care costs are higher for them at that time, they are concerned about prescription drugs, and one of the priorities for this Republican Congress this year is passing a prescription drug benefit under Medicare that takes care of those 15 million seniors who do not have prescription drug coverage.

Well, by eliminating the marriage tax penalty for senior citizens who suffer it, they will have more of their own money to keep to meet their own needs, rather than going to Washington. It is just wrong.

We have all heard the story about the elderly couple that decided to get di-

vorced because they found they could save money. That is wrong, that under our Tax Code, the incentives are to get divorced, rather than to get married, or not to get married in the first place. We want to strengthen families in our country, and that is why elimination of the marriage tax penalty is so important.

I would be happy to yield to the gentleman from Minnesota.

Mr. GUTKNECHT. Just in closing, Congressman WELLER, I wanted to again thank you, because there are two issues that you have worked very hard to help reinforce that I think are sort of the mortar between the bricks that holds our whole culture and society together.

First of all, strong marriages, because we know that societies that have strong families are societies that need less government, they need less police protection, they need less in terms of criminal apprehension, they need less in terms of other social safety nets, if you will. So strong families are important, and this is one very important step to reinforce those.

The other area you have worked so hard on, and that is home ownership. The one thing we know is that societies that have strong families and a high level of home ownership are strong societies.

So I want to congratulate the gentleman on both of those fronts. I hope the Committee on Ways and Means will report out a strong bill in the next several days that we can have on the floor and get at the President's desk by Valentine's Day. I think that is a fantastic gift to give those millions of American couples.

Again, I thank the gentleman for his leadership and look forward to working as best we can to make certain that this one unfairness in the Tax Code is eliminated this year.

Mr. WELLER. Again, reclaiming my time, I thank the gentleman from Minnesota for his comments, and his leadership. The gentleman from Minnesota (Mr. GUTKNECHT) has been a real leader, one of the original leaders in our effort to eliminate the marriage tax penalty, one of the items of unfinished business that we have decided under the leadership this year of House Speaker DENNIS HASTERT to make first out of the box, put on a fast track, to help families by addressing the need to make our Tax Code more fair and more simple, and we will benefit 56 million working Americans who will benefit by eliminating the marriage tax penalty.

We have often asked over the last several years as House Republicans have worked to eliminate the marriage tax penalty, is it right, is it fair that under our Tax Code that 28 million married working couples pay more in taxes just because they are married.

The average marriage tax penalty is \$1,400 in higher taxes just because they are married. In the south side of Chicago, the south suburbs and rural communities that I represent in Illinois,

\$1,400 is one year's tuition at the local community college; it is three months of daycare at the local daycare center; it is 3,000 diapers for a newborn baby if they suffer the marriage tax penalty.

I am so proud that this House has made it a priority once again. I was disappointed, in fact it broke my heart last year when President Clinton and Vice President Gore vetoed our efforts to eliminate the marriage tax penalty.

We sent to the President legislation which would wipe out the marriage tax penalty for a majority of those who suffer it. Unfortunately, because it was part of a package with a number of other initiatives, the President vetoed it. He said he wanted to spend the money on other things. Unfortunately, it fell victim to his desire to create new government programs.

We believe, and our hope is, this year the President will join with us. He mentioned in the State of the Union the other night the need to address the marriage tax penalty. We want to take him at his word. He has now made a promise, and we want him to keep it. We are going to eliminate the marriage tax penalty.

When you think about it, that \$1,400 we are going to allow the average married couple to keep, that is going to be a big help to the folks back home. We believe that by sending the President stand-alone clean marriage tax elimination legislation, legislation that only has one item in it, which is our effort to eliminate the marriage tax penalty, that we will help 28 million working married couples, because it should receive overwhelming bipartisan support.

As I pointed out earlier, an overwhelming majority, almost 220 Republicans are cosponsoring the Marriage Tax Elimination Act, about a dozen Democrats. Hopefully more Democrats will join with us, because I believe our legislation that will move out of the Committee on Ways and Means this Wednesday will pass with overwhelming bipartisan support, and I believe that that signal that will be sent to the Senate will, of course, help the Senate maintain the discipline to move a bill quickly through the Senate to eliminate the marriage tax penalty; and, of course, then we can send it to the President, helping 28 million working married couples.

Frankly, what better gift to give 28 million married working couples on Valentine's Day than passage of legislation out of this House, which wipes out the marriage tax penalty for 28 million married working couples.

Let me again explain what the marriage tax penalty is for all those that are interested. And for my friends in the House I would like to point out, you know, the marriage tax penalty is a middle-class issue. It is a working family issue, because if you are a married couple and you work, you pay taxes, and if you are married, you pay higher taxes under our Tax Code.

In Joliet, Illinois, I will give you an example of a machinist and a school-

teacher. A machinist who works at Caterpillar, they make big heavy equipment, those big tractors and bulldozers in Joliet, and the machinist that works there, he makes \$31,500.

As a single person this machinist at Caterpillar, at the Joliet Caterpillar plant, he pays at the 15 percent tax rate. He pays taxes at the most basic rate for average Americans, which is 15 percent. It is the lowest bracket in our Tax Code.

But if he meets a schoolteacher with an identical income, a tenured schoolteacher with an identical income, \$31,500, of course, she pays in the 15 percent bracket if she stays single and is single, but if this machinist and schoolteacher in Joliet, Illinois, decide to get married, they have to file jointly, which means they have to combine their incomes.

Under our Tax Code today, this machinist and schoolteacher in Joliet, Illinois, they are pushed into the 28 percent tax bracket, and under our Tax Code, they pay almost \$1,400 more in higher taxes just because they chose to get married.

Now, if they chose not to get married and made the choice of living together, they would not pay that marriage tax penalty; or if they were married and chose to get divorced, they would save money. Those incentives are just in the wrong place.

Now, under the proposal that the Committee on Ways and Means is going to act on on Wednesday, we are going to help this machinist in Joliet, Illinois, and this public schoolteacher in Joliet, Illinois, because we are going to pass legislation out of the Committee on Ways and Means and out of this House by Valentine's Day which will essentially wipe out the marriage tax penalty; and for couples, such as this machinist and schoolteacher, they will no longer be punished for being married with passage of our legislation that we are going to move out of the House the next couple of weeks.

What we do is we double the standard deduction immediately so that joint filers have a standard deduction twice that for single filers. Now, if you itemize your taxes, and most people who itemize their taxes are homeowners and you itemize because you combine your property taxes with your mortgage interest, and if that totals more than the standard deduction, you itemize your taxes.

But under our proposal that we are going to pass out of the House in the next couple of weeks, we double the standard deduction for joint filers to twice that of singles, so that wipes out the marriage tax penalty for those who do not itemize. We do that immediately in the year 2001, this coming year. Next year we double the standard deduction for those who do not itemize. So they are helped quite a bit.

I would point out by doubling the standard deduction for joint filers to twice those of singles, we also simplify the Tax Code, one of our other goals,

because 3 million married working couples will no longer need to itemize their taxes because we double the standard deduction for joint filers to twice that of singles. So we simplify the paperwork they are required to file when they file taxes on April 15th. So it is a two-fer. We wipe out the marriage tax penalty, and we save them time on their taxes.

Now, for many homeowners, in fact, an awful lot of homeowners, particularly in the suburbs of Chicago and rural areas that I represent, they itemize their taxes, because when you add together your property taxes, you add together your mortgage interest and some of the other items you might be able to itemize, charity deductions, they are more than the standard deduction, so you itemize your taxes. We help them as well.

What we do in our proposal to help those who itemize their taxes in eliminating the marriage tax penalty is we widen the 15 percent bracket. Right now if you are single, you can make about \$24,000 or \$25,000 a year and be in the 15 percent tax bracket; but if you are married and you file jointly, you can only make about \$44,000 a year.

That is wrong, because if you choose to get married, you pay higher taxes because of that. So we double it under this legislation. We widen that bracket so those in the 15 percent bracket that are joint filers can earn twice as much in their combined income as single filers, wiping out their marriage tax penalty as well. That is good news for married working couples. We help those who itemize; we help those who do not itemize.

One of the other points I would like to make as well, I am often asked, if you are going to eliminate the marriage tax penalty, does that mean you are going to raise taxes on single people in order to offset the loss of revenue for the Federal Government?

Well, we have addressed that issue. Under the legislation that the Committee on Ways and Means is going to act on on Wednesday and this House is going to pass by Valentine's Day, we wipe out the marriage tax penalty for almost 28 million married working couples, and we make the Tax Code essentially neutral, so you pay no more in taxes if you are married or single, so two people with identical incomes in identical circumstances pay no more in taxes if they are single or married.

That is fairness, bringing fairness to the Tax Code, because it responds to that fundamental question, and that is, is it right, is it fair that under our Tax Code that you pay more in taxes just because you are married.

I am so pleased and really pretty proud that the House leadership under the leadership of House Speaker DENNIS HASTERT has made elimination of the marriage tax penalty priority Number 1 when it comes to addressing the need to fix the Tax Code to make it fairer and simpler, and that we are going to give a Valentine's Day gift to

28 million married working couples by passing out of this House by Valentine's Day our legislation which will essentially wipe out the marriage tax penalty for a majority of those who suffer it.

I often refer to this young couple that came and talked to me about the need to eliminate the marriage tax penalty and what it meant to them. Whenever we talk about the marriage tax penalty, I think of couples such as Michelle and Shad Hallihan, two public school teachers in Joliet, Illinois, who made the decision to get married; and they made that decision knowing full well that under our Tax Code they were going to pay more in taxes just because they are married.

Well, it is young people like Michelle and Shad, as well as older folks who are retirees who suffer the marriage tax penalty, that we want to bring fairness to the Tax Code by eliminating the marriage tax penalty.

I really believe that this year we have an opportunity. Unfortunately, the President and Vice President Gore vetoed last year our efforts to eliminate the marriage tax penalty for a vast majority of those who suffer it, and it fell victim to the President's desire to spend more money on government programs. And while we wanted to eliminate the marriage tax penalty, we made a commitment last year that we were going to try again.

I am pleased that this House in the next 2 weeks is going to vote on legislation which will wipe out the marriage tax penalty for a majority of those that suffer it. That is good news. That is good news for 28 million married working couples. Fifty-six million Americans who are married and work will benefit from this legislation, and they will see anywhere from \$230 to almost \$1,400 in marriage tax relief as a result of this legislation. That is good news.

My hope is this entire House will vote yes. Now, there are 12 Democrats that have joined along with us, out of the 231 cosponsors of the Marriage Tax Elimination Act. The gentlewoman from Missouri (Ms. DANNER) has been a real leader. My friend, a Democratic Member from Missouri, has been a real leader in the effort to eliminate the marriage tax penalty, and I am so proud to have her as a partner, and she has been able to bring about a dozen of her Democratic colleagues with her.

My hope is and we want to extend an invitation to our Democratic friends to join with us and make this a bipartisan effort.

The President said in his State of the Union speech the other night that we should address the marriage tax penalty. We want to take the President at his word, so that when we place on the President's desk a stand-alone bill, clean marriage tax elimination legislation, that he will sign it into law, because it is going to provide real relief and address the need to bring fairness to the Tax Code when it comes to marriage.

You know, you think about it, our Tax Code has the incentives in the wrong place. We should be working to strengthen society's most basic institution. We can do that by eliminating the marriage tax penalty.

My hope is over the next 2 weeks we will be able to garner overwhelming bipartisan support to send with a strong message to the Senate our desire to eliminate the marriage tax penalty. I appreciate the comments of Chairman ROTH of Delaware, who has been a real leader in working to bring tax relief for middle-class families.

Again, as I pointed out earlier, Chairman ROTH, chairman of the Senate Finance Committee, praised the gentleman from Texas (Chairman ARCHER) for the speedy start to open this issue. Of course, Mr. ARCHER is chairman of the House Committee on Ways and Means, part of our leadership here in the House. Chairman ROTH indicated he intends to move shortly over the next few months similar legislation to eliminate the marriage tax penalty.

Let us keep this legislation on a fast track. There are 28 million married working couples, 56 million hard-working married people that are out there who need help. They need fairness in the Tax Code as it affects married people. We want to help them.

My belief is we have a tremendous opportunity, a clean stand-alone effort to eliminate the marriage tax penalty. It deserves overwhelming bipartisan support. It deserves to be signed into law. It is all about fairness.

Let us bring fairness to the Tax Code. Help couples such as Michelle and Shad Hallihan, public school teachers in Joliet, as well as 28 million other working couples, by eliminating the marriage tax penalty.

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I thank the Speaker for the opportunity to address this House and our efforts to eliminate the marriage tax penalty and bring fairness to the Tax Code.

PATIENTS' BILL OF RIGHTS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from New Jersey (Mr. PALLONE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PALLONE. Mr. Speaker, I would mention that I do not plan to use all of the time this evening that is allotted to me, but I do want to spend some time talking about the Democratic health care initiatives, particularly by reference to the President's State of the Union address last Thursday night where he outlined many of the Democratic health care initiatives, some of which have already had debate and been discussed extensively by me and by other Members of this House, others of which are somewhat new.

I would start out by pointing out that the Democrats and myself, we feel

very strongly that the time has come to deal with three key health care issues. I do not say this because it is the Democratic agenda; I say it because I think it is America's agenda. These are the concerns and the problems that need to be dealt with, that I hear from my constituents in New Jersey in my congressional district, as well as from my colleagues here in Washington, D.C. on both sides of the aisle, when they come back, particularly from this 2-month period, this district work period or recess that we were in, and a lot of us had forums, a lot of us got input from our seniors, from our senior citizens, as well as from a lot of other people, and we are here back fresh for the second session of this Congress but we need to address these health care concerns.

Let me detail the three concerns that I have. First of all, it is time to pass the Patients' Bill of Rights, the HMO reform. We went for a year, the last session in 1999, trying to push the Patients' Bill of Rights, and we finally did get it passed in the House of Representatives, but it still has not passed, or a strong bill, I should say, has not passed in the Senate. It is now in conference between the two Houses, between the House of Representatives and the Senate, but we still have not had a meeting of the conference so that we can move forward in trying to adopt good HMO reform to deal with abuses of HMOs that are basically set forth in the Patients' Bill of Rights. We need to pass that. That is number one, and I will talk a little bit more about it later.

Number two, we need to address the problem of prescription drugs for seniors. Concerns about health care cross all generational lines and all class and income lines, but for seniors in particular the lack of a benefit under Medicare for prescription drugs, and the majority of the seniors do not have that kind of a benefit, is a particular problem because when I am in my district, or the forums in my district office, so many seniors call me or will come up to me and some of them will say they have prescription drug benefits but it is not sufficient, and the costs continue to escalate and they simply cannot afford it. So they either go without the drug or they take less than they are supposed to or they try to spread it out in some way.

This is not the way we should operate. Prescription drugs are a preventive benefit that should be provided under Medicare. Of course, the President talked about that as well and I will talk a little bit about it tonight.

The third health care issue, though, and concern that needs to be addressed is access for the uninsured. Since I have been a Member of Congress, and particularly in the last 5 years, the number of Americans who are uninsured who have no health insurance continues to skyrocket. It is about 45 million Americans now that have no health insurance, and keep in mind

that these are pretty much middle class working people, because if you are poor enough to fall below a certain income you are eligible for medicaid. If you are a senior, regardless of income, you are over 65, you are eligible for Medicare, but if you are a working person whose income is just above the line for medicaid and you are not a senior citizen then you do not have any guarantee of health insurance.

What is happening increasingly is a lot of people simply do not get health insurance as part of their employment.

Years ago, most Americans, if they were working, their employer provided some sort of health insurance where the employer would pay part of it and the employee would pay part of it, but increasingly that is not the case. So we have about 45 million uninsured Americans, mostly working Americans, who simply do not have the ability through their job to get access to health insurance and we need to do something about it. The President has addressed that as well, and it is part of our Democratic agenda.

Now, let me take these in order and spend some time on each of these issues, if I can tonight, Mr. Speaker. First of all, I want to go back to HMO reform and the Patients' Bill of Rights. No one is suggesting that HMOs are a bad thing. We know that in many cases HMOs have actually helped to bring down the costs of health insurance. The bottom line is that there are many cases where there have been excesses or abuses within HMO networks, and oftentimes that manifests itself in that a physician will say to a particular patient that they need a particular operation or a length of stay in the hospital, or have to go to a particular provider or particular hospital or specialist for care.

The HMO does not allow it, either because there are certain types of operations that the HMO just will not pay for or they will say that you can only stay in the hospital a certain number of days for a certain procedure even though your physician thinks that you need to stay longer, and we have had people actually become very ill, even die, because of the denial of care in those abusive situations.

Well, we as Democrats put together a bill called the Patients' Bill of Rights. I am not saying that it is strictly a Democratic bill. We had some Republicans that cosponsored the bill and certainly some Republicans that voted for the bill when it was passed here in the House of Representatives, but unfortunately the Republican leadership in the House did not support the Patients' Bill of Rights and they continue to create problems in terms of its going to conference.

We heard from the Republican leadership I think a week or two ago that they say now that they will hold a conference, but it has not been held yet and the problem is that the conferees that the Republican leadership have appointed to this conference, even if it

is held, are not people that support the Patients' Bill of Rights. They are specifically those who said that they would not support the Patients' Bill of Rights.

Well, what does the Patients' Bill of Rights do? Let me just give some indication of what this is all about and how it corrects some of the excesses or abuses with regard to HMOs. I am going to mention a few things with regard to access. One is emergency services. Individuals are assured under the Patients' Bill of Rights that if they have an emergency those services will be covered by their plan. The bill says that individuals must have access to emergency care without prior authorization in any situation that a prudent layperson would regard as an emergency.

So if you are the average guy and you feel that you have chest pains and that you need to go to the hospital and the emergency room because you think you might be having a heart attack, well, that is the average or prudent layperson. If you have to go to the nearest emergency room, even if the HMO says that that is not where you go and that is not one of the hospitals that are covered, they have to pay because it was an emergency. That is what the bill says.

Specialty care, Mr. Speaker, under this bill patients with special conditions must have access to providers who have the requisite expertise to treat their problem. The bill allows for referrals for enrollees to go out of the plan's network for specialty care at no extra cost to the enrollee if there is no appropriate provider available in the network for covered services. For individuals who are seriously ill or require continued care by a specialist, plans must have a process for selecting a specialist as a gatekeeper for their condition to access necessary specialty care without impediments.

So what we are saying here is if the HMO does not have a specialist that you need to handle your particular situation, then they have to pay for you to go to another specialist, and if you have the type of condition where you need to go to a specialist on a regular basis, you do not have to go to the primary care physician for a referral to that specialist every time. You just get basically registered with a specialty doctor and you continue to go to her or him.

Now those are some of the examples. I mean, there are a lot of others. I think one of the worst abuses that I know of is what they call the gag rule, where HMOs will write into their contract that if they do not provide a particular operation or service your physician cannot talk to you about it. In effect, he or she, your physician, is gagged from telling you what kind of procedure or operation you really need because the HMO will not cover it.

Well, that obviously needs to be eliminated. One of the provisions in our Patients' Bill of Rights says there cannot be any gag rules.

Let me go into some of the other areas. I had a number of senior forums in my district during the recess in December and January and a lot of them complained about not having adequate information provided by the HMO, that they do not even know what is covered, they do not know what physicians are in the network, they do not know basically what their insurance provides. Well, in the Patients' Bill of Rights, we say that managed care plans have to provide information so the consumers understand their health plan's policies, procedures, benefits and other requirements.

That may seem like it's not important, but I think it is very important. Also important, and I want to stress, is the grievance and appeals procedure. Right now if an HMO turns you down for a particular operation, how do you appeal that decision if you feel that that decision by the HMO was a wrong one? Well, with great difficulty, I should add. Oftentimes the HMO will have you go to an internal review board with members appointed from their own staff and so when you appeal you have no chance. Well, what we say in the Patients' Bill of Rights is that there has to be an internal appeal that basically is not influenced by the HMO, and then there has to also be an opportunity to go outside the internal review process within the HMO to an outside board that can make a decision to overturn the HMO's decision independent of the HMO, an external appeal.

Beyond that, though, there is also the opportunity to sue. One of the complaints that we hear from some of the opponents of the Patients' Bill of Rights is that it allows people to sue because right now if you fall under the Federal preemption under ERISA because your health plan is provided by an employer who is self-insured, which there are a lot in this country, you cannot sue the HMO. The Federal law prohibits you from suing the HMO. We eliminate that provision and say that if the reviews that I mentioned, internal and external, fail, that you have the option to go to court and sue to overturn the HMO's decision, which I think is a very valuable reform and protection, patient protection, under the Patients' Bill of Rights.

I do not want to continue to go on about the Patients' Bill of Rights and provide more details because I know that we have done that many times. I have talked about it many times. I think the time now is for action. The Republicans are in the majority. They control the agenda. They need to have a conference on the Patients' Bill of Rights. They need to have the conference include both Democrats and Republicans, and mostly including the people that supported the House version that actually passed here in the House of Representatives, and they need to act expeditiously so that we can get a bill out of conference and to the President that is actually a strong bill that protects patients' rights.

We will continue as Democrats to say over and over again that this must be done over the next few weeks, as we begin this new session of the Congress.

Now, let me, Mr. Speaker, if I can, move on to the second health care issue that I said earlier this evening is so important and again that the President addressed in his State of the Union address, and that is the issue of prescription drug benefits under Medicare.

When Medicare was started in the 1960s, when President Lyndon Johnson proposed it, prescription drugs were not that important. Medicare was started in the sixties primarily because of the huge costs of hospital care, and people did not rely on medication or prescription drugs so much as a preventive measure the way they do today, but yet now 30 years later we all understand why prescription drugs are needed and they are such a big part of our health care, not only in terms of our condition and whether we are going to be well and be active and not get sick, but even more so they take a big bite out of your budget if you have to pay for them privately.

We know that some people do get prescription drugs as part of Medicare. If they are in an HMO, the HMO might provide some coverage, but what we find is that increasingly more and more of the HMOs that were providing coverage for prescription drugs are cutting back, charging more in terms of copayments or even a premium, to the seniors that are enrolled in the HMO.

We still have a lot of seniors who are in the fee-for-service program, not part of an HMO. Some of them may have what we call Medigap, supplemental coverage that they pay for privately, that would include prescription drugs but again that is becoming increasingly prohibitive.

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The costs keep rising, the coverage keeps diminishing. So even if you have a prescription drug benefit as part of Medicare or because you have a Medigap policy, you find yourself increasingly paying more and more money out of pocket.

Some people, if they have no benefits, are paying \$1,500, \$2,000, \$2,500 a year for prescription drugs, and they simply cannot afford it.

The easiest way to deal with this problem is to include it under Medicare as part of the basic benefit package and pass legislation that would accomplish that. I also think that it is important, though, that when we pass that legislation and that when we consider that legislation, that we put in some provision that allows for a better price negotiation, because right now what we find is that seniors that are not part of an HMO and who have to go buy a prescription at the drugstore themselves, even if they have some coverage under MediGap or whatever, they are paying exorbitant prices for the prescription drugs, way out of proportion to what

they would pay if they were in an HMO or had some other way to negotiate a price on a large volume basis. So the bill, when passed, needs to address that price discrimination issue as well.

I just wanted to mention the President's proposal. The President has a very good Medicare prescription drug proposal. It is not the only one out there. I have one myself. There are other Members of the House on the Democratic side that have different proposals out there. But Democrats are united in saying that we want to have this benefit, that we support the President, that we need a prescription drug benefit under Medicare, and we need it now because of the crisis that we see out there.

Let me just talk a little bit, if I can, about the President's initiative in this regard. What he does, what he proposes, is establishing a new voluntary Medicare part D prescription drug benefit that is affordable and available to all beneficiaries. This is voluntary. This is like Part B. Part A is your hospitalization, Part B takes care of your doctor bills. This would be a new part D, again voluntary, where you pay so much of a premium per month and you get a certain prescription drug benefit. You do not have to do it if you think you have other options that are better for you.

What the President's drug benefit would provide is that there would be no deductible, but you would pay for half of the drug costs from the first prescription. So basically what the government would do is they would pay for half of the prescription drug, and that would begin with the first prescription that is filled. This would be up to \$5,000 a year in spending when it is fully in place.

In other words, if you incur drug bills up to \$5,000, half of it would be paid by Medicare, and it could be as little as \$10 or \$20, if that is all it costs over the course of the year, and half of that would be paid by Medicare.

The President's proposal would also ensure beneficiaries a price discount similar to that offered by many employer-sponsored plans for each prescription purchased, even after the \$5,000 limit is reached. Again, there is going to be a price discount because you are going to be part of this Medicare program where the government or the intermediary can actually negotiate a better price for you.

The cost is about \$24 per month beginning in 2002 when the coverage is capped at \$2,000, and would rise to about \$44 per month when fully phased in in about 6 to 7 years when the total benefit can go up to \$5,000 in prescription drugs, which is about comparable to what we pay now for Part B for the doctor bills in terms of the premium.

Just like now in Part B for doctor bills, people who are at lower incomes at a certain level pay no premium. People who are a little above that lowest level pay part of that \$44 a month premium. So we would ensure that bene-

ficiaries with incomes below 135 percent of poverty, \$11,000 for a single individual, \$15,000 for a couple, would not pay anything for cost-sharing. People who are a little above that income would phase in and pay some of the premium but not all of it.

I do not want to go into more detail about this, Mr. Speaker. I just think it is a very good proposal. As I said, it is not the only proposal out there. But as Democrats, we are united in the idea that we need to have a Medicare prescription drug plan, because the crisis in terms of constituents and Americans being able to pay the bill and foot the bill is way out of line. I just do not want to want to see more people not take prescription drugs when they need them because they cannot afford to pay for them.

Let me go to the third issue I want to mention this evening with regard to health care, and again, part of the Democrats' agenda with regard to health care, and also something that the President talked about in his State of the Union again last Thursday night. This is the problem with access for the uninsured.

The number of uninsured continues to rise. I think I gave the figure of about 45 million Americans now that have no health insurance; working families, people that go out every day and work one, two, or sometimes more jobs, but do not have any coverage through their employer and cannot afford to pay for it privately.

Mr. Speaker, we know that when President Clinton was first elected to office going back I guess 7 years now he had put forward a comprehensive universal health care plan. That was shot down. I do not want to go into tonight whether it was a good or a bad plan or how people felt about it. Frankly, I thought it was a very good plan. I would have supported it. I think if it had been put into place, we would not have this 45 million uninsured and the number of uninsured continuing to rise every day if this had been put in place 6 or 7 years ago the way the President wanted it. But politically it was not possible to do so. The insurance companies attacked the President's proposal. The Harry and Louise ads were on TV. Basically, the proposal died. It never even came up on the House floor, on the Senate floor.

Ever since then, those of us who have been concerned about the problems of the uninsured on the Democratic side have been trying to sort of look at the target groups, the key groups within that 45 million uninsured people that perhaps we can help without moving into a universal coverage system which politically is simply not saleable at this point.

We started out targeting a number of different groups, most notably a couple of years ago children, because a big percentage of that uninsured group were children. We put in place the Kids Care initiative. We came out of the Health Care Task Force, which I co-

chair. We convinced enough Republicans to go along with it, and almost all, I think every Democrat voted for it, and enough Republicans to get the majority, so we passed the Kids Care initiative.

What we find is that, although we have addressed the problems of some of the children, we still have a lot of children that remain uninsured. Then we have a lot of parents of those children who are uninsured, because usually if a person is working and they get health care on the job, they can get their children covered as part of that policy. But the bottom line is that those parents that have uninsured children who have signed up for the Kid Care program, it is called CHIP, are usually uninsured themselves.

What the President has said is that initially what he wants to do, and this is part of the Democratic agenda, is try to expand the coverage for as many children as possible by expanding the eligibility for the Kids Care initiative, and also going out and trying to reach kids that may be even eligible for Medicare, which is at a lower-income bracket than Kids Care, and make sure that they get signed up, because we know that so many of them have not signed up for Medicaid or for the Kids Care initiative, even though they are eligible for it.

So there is an outreach component here among the Democrats' agenda, and there is also the component to raise the income level so that more children who are uninsured would be eligible for the Kids Care initiative.

Then the President and the Democratic agenda goes one step further. It says that a big part of this 45 million people who are uninsured is not only the children but their parents, as I mentioned before. Let us allow parents also to opt into the CHIP program. If they have children who are uninsured and are now signed up for it, let them sign up for it as well. The President provides in his State of the Union message and will provide in his budget for exactly that.

Just to give an idea, some statistics, over 80 percent of parents of uninsured children with incomes below 200 percent of poverty, which is about \$33,000 for a family of four, and I want to stress that, we are not talking here about people that are on Medicaid, we are talking about a family of four making \$33,000 a year. Some people would not consider that poor, but the bottom line is that a great percentage of those families do not have access to health insurance, even though they are working, because they cannot get it on the job and they cannot afford to buy it privately.

There are about they estimate 6.5 million uninsured parents with incomes in the Medicaid and the CHIP, which is the Kids Care, eligibility range for children, and what the administration does, what the President does in his budget is he creates a new family care program. It basically pro-

vides higher Federal matching payments for State coverage of parents of children eligible for Medicaid or the CHIP program.

Under family care, parents would be covered in the same plan as their children. States would use the same systems and follow most of the rules as they do in Medicaid and CHIP today, and the program would be overseen by the same State agency. There would be a match that is provided here. States would have to cover a certain percent and the Federal government would provide a certain percent.

I just think this is so important, because again, I was listening to my colleague earlier on the Republican side who was talking about the marriage tax penalty. I agree that the marriage tax penalty should be eliminated, and hopefully we will do that over the next couple of months here.

The bottom line, however, is that more important, really, to a family which has parents who are working, a working family, is the fact that they need health insurance, because if they do not have health insurance and they get sick, then they are basically dependent upon going to the emergency room, incurring huge bills that they probably can never pay, and this is not the way we should operate in this country today with the economy being the way it is and with the people that are working and trying to make a living.

I think that the President's initiative not only for expanding it for children but also for parents is really so important.

The other thing that I have not mentioned but I want to with regard to access to health care for the uninsured is that if we look at this 45 million people who are uninsured, I mentioned the kids initially, then I mentioned the parents of those children who are uninsured, another huge block of people are what we call the near elderly. These are people probably between the ages of 55 and 65 who are not eligible yet for Medicare but who basically are uninsured, either because maybe they were married to a spouse who had health insurance on the job but then that spouse died, so they do not have any health insurance themselves, or they were laid off, or they took an early retirement that did not provide health benefits.

What we find is that there are just a huge number of people between that 55 and 65 age range for whatever reason that are still not eligible for Medicare because they are not old enough, but find themselves without health insurance, either because they are not working or because their spouse died and they do not have it, and they have no way of buying health insurance privately because it is too expensive and they do not make enough money.

A couple of years ago, I think it was not this year but in the previous State of the Union Address, or maybe even prior to that, President Clinton proposed a Medicare buy-in for those indi-

viduals. In other words, we would figure out what the cost per month for the Medicare program is to the Federal government, and they would be able to simply purchase Medicare at that cost, which I think the President has estimated is somewhere between \$300 and \$400 a month.

I always thought that was a great idea, but the problem is for a lot of these people \$300 to \$400 is prohibitive. They cannot afford it.

There are different ways of trying to deal with that. I had advocated some kind of sliding scale subsidy for those individuals. The President in his State of the Union Address last week talked about using a tax credit as a way of helping these people so they could address and buy into Medicare.

What he basically says is that in order to make this buy-in more affordable, the President proposes a tax credit equal to 25 percent of the premium for participants in the Medicare buy-in.

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I think that is good. Let me say this, the Congress has not addressed this at all. The House of Representatives has not considered this in committee, it has not come to the floor of the House.

So once again I call on my Republican colleagues who are in the majority to bring up the Medicare buy-in for the near-elderly and allow it to come to the floor, because I think it will pass if it comes to the floor. Number one, we have to allow the buy-in, which is not the law; and number two, we have to find a way through either a tax credit, as the President has proposed, or some subsidy to make it possible for more people to afford that buy-in. But right now, we do not have it at all.

So, again, access to health insurance coverage. What do we do? Address the problem with kids more extensively, address the problems of the parents of the kids, and the problem of the near-elderly. But the President and the Democrats have gone even further. We have 45 million Americans uninsured. If we are not able to cover all of them through some universal system, then we have to address it piecemeal.

Again, how have most Americans been covered traditionally? Through their employer. Unfortunately, the number of employers percentage wise that offer health insurance has decreased. But if we can create some sort of incentive so that those employers once again will offer health insurance, particularly the small businesspeople that have the most difficult time buying the policy and making it available to their employees, then we can also make, I think, a significant dent in this group of 45 million Americans who are uninsured.

Mr. Speaker, what the President has proposed, again, is to give small firms, those with fewer than 25 employees that have not previously offered health insurance, a tax credit equal to 20 percent of their contributions. And there are a number of other things here:

Making COBRA continuation coverage more affordable; expanding State options to provide health insurance. There are a number of initiatives here that the President has put forward and that are part of the Democratic agenda. I am not going to go into all of them because I did promise that I would not take up all the time that was allotted.

But, Mr. Speaker, I want to stress again the importance of these three issues: HMO reform, pass the Patients' Bill of Rights; two, Medicare prescription drug coverage; and, lastly, trying to address the problem of access for the uninsured, those 45 million Americans who do not have health insurance.

I cannot think of anything that is more important for this House of Representatives to take up over the next 10 months or so between now and the November election, and I call upon my colleagues on the Republican side who are in the majority, the Speaker, the Majority Leader, to take up these issues and to pass legislation that addresses these concerns in a strong and effective manner.

We will be here as Democrats. I promise that I will be here. My colleagues will be here every night if we have to demanding action on these three health care issues because this is what our constituents talk to us about, this is what needs to be done. And it is not that difficult to do if only the Republicans would join with the Democrats in addressing these concerns.

A REPUBLIC, IF YOU CAN KEEP IT

The SPEAKER pro tempore (Mr. GREEN of Wisconsin). Under the Speaker's announced policy of January 6, 1999, the gentleman from Texas (Mr. PAUL) is recognized for 60 minutes.

Mr. PAUL. Mr. Speaker, I have taken this special order this evening to discuss the importance of the American Republic and why it should be preserved.

Mr. Speaker, the dawn of a new century and millennium is upon us and prompts many of us to reflect on our past and prepare for the future. Our Nation, divinely blessed, has much to be thankful for. The blessings of liberty resulting from the Republic our forefathers designed have far surpassed the wildest dreams of all previous generations.

The form of government secured by the Declaration of Independence, the American Revolution and the Constitution is unique in history and reflects the strongly held beliefs of the American revolutionaries. At the close of the Constitutional Convention in Philadelphia on September 18, 1787, a Mrs. Powell anxiously awaited the results and as Benjamin Franklin emerged from the long task now finished asked him directly, "Well, Doctor, what have we got? A republic or a monarchy?" "A republic, if you can keep it," responded Franklin.

The term "republic" had a significant meaning for both of them and all

early Americans. It meant a lot more than just representative government and was a form of government in stark contrast to pure democracy where the majority dictated laws and rights. And getting rid of the English monarchy was what the revolution was all about, so a monarchy was out of the question.

The American Republic required strict limitation of government power. Those powers permitted would be precisely defined and delegated by the people with all public officials being bound by their oath of office to uphold the Constitution. The democratic process would be limited to the election of our leaders and not used for granting special privileges to any group or individual nor for defining rights.

Federalism, the binding together loosely of the several States, would serve to prevent the concentration of power in a central government and was a crucial element in the new republic. The authors of the Constitution wrote strict limits on the national government and strove to protect the rights and powers of the State and the people.

Dividing and keeping separate the legislative, executive, and the judiciary branches provided the checks and balances thought needed to preserve the Republic the Constitution created and the best way to preserve individual liberty.

The American Revolutionaries clearly chose liberty over security for their economic security and their very lives were threatened by undertaking the job of forming a new and limited government. Most would have been a lot richer and safer by sticking with the King. Economic needs or desires were not the driving force behind the early American patriotic effort.

The Revolution and subsequent Constitution settled the question as to which authority should rule man's action, the individual or the state. The authors of the Constitution clearly understood that man has free will to make personal choices and be responsible for the consequences of his own actions. Man, they knew, was not simply to be a cog in a wheel or a single cell of an organism or a branch of a tree but an individual with free will and responsibility for his eternal soul as well as his life on earth. If God could permit spiritual freedom, government certainly ought to permit the political freedom that allows one to pursue life's dreams and assume one's responsibilities.

If man can achieve spiritual redemption through grace which allows him to use the released spiritual energy to pursue man's highest and noblest goals, so should man's mind, body, and property be freed from the burdens of unchecked government authority. The founders were confident that this would release the creative human energy required to produce the goods and services that would improve the living standards of all mankind.

Minimizing government authority over the people was critical to this en-

deavor. Just as the individual was key to salvation, individual effort was the key to worldly endeavors. Little doubt existed that material abundance and sustenance came from work and effort, family, friends, church, and voluntary community action, as long as government did not obstruct.

No doubts were cast as to where rights came from. They came from the Creator. And if government could not grant rights to individuals, it certainly should not be able to take them away. If government could provide rights or privileges, it was reasoned, it could only occur at the expense of someone else or with the loss of personal liberty in general.

Our constitutional Republic, according to our founders, should above all else protect the rights of the minority against the abuses of an authoritarian majority. They feared democracy as much as monarchy and demanded a weak executive, a restrained court, and a handicapped legislature.

It was clearly recognized that equal justice and protection of the minority was not egalitarianism. Socialism and welfarism were never considered. The colonists wanted to be free of the King's oppressive high taxes and burdensome regulations. It annoyed them that even their trees on their own property could not be cut without the King's permission. The King kept the best trees for himself and his shipbuilding industry. This violation of property ownership prompted the colonists to use the pine tree on an early revolutionary flag to symbolize the freedom they sought.

The Constitution made it clear that the government was not to interfere with productive, nonviolent human energy. This is the key element that has permitted America's great achievements. It was a great plan. We should all be thankful for the bravery and wisdom of those who established this Nation and secured the Constitution for us. We have been the political and economic envy of the world. We have truly been blessed.

The founders often spoke of divine providence and that God willed us this great Nation. It has been a grand experiment, but it is important that the fundamental moral premises that underpin this Nation are understood and maintained. We, as Members of Congress, have that responsibility.

This is a good year to address this subject, the beginning of a new century and millennium provides a wonderful opportunity for all of us to dedicate ourselves to studying and preserving these important principles of liberty.

One would have to conclude from history as well as current conditions that the American Republic has been extremely successful. It certainly has allowed the creation of great wealth with a large middle-class and many very wealthy corporations and individuals. Although the poor are still among us, compared to other parts of the world, even the poor in this country have done quite well.

We still can freely move about from town to town, State to State, and job to job. Free education is available to everyone, even for those who do not want it or care about it. But the capable and the incapable are offered a government education. We can attend the church of our choice, start a newspaper, use the Internet and meet in private when we choose. Food is plentiful throughout the country and oftentimes even wasted. Medical technology has dramatically advanced and increased life expectancy for both men and women.

Government statistics are continuously reaffirming our great prosperity with evidence of high and rising wages, no inflation, and high consumer confidence and spending. The U.S. Government still enjoys good credit and a strong currency in relationship to most other currencies of the world. We have no trouble financing our public nor private debt. Housing markets are booming and interest rates remain reasonable by modern day standards. Unemployment is low.

Recreational spending and time spent at leisure are at historic highs. Stock market profits are benefiting more families than ever in our history. Income, payroll, and capital gains taxes have been a windfall for politicians who lack no creative skills in figuring out how to keep the tax-and-spend policies in full gear. The American people accept the status quo and hold no grudges against our President.

The nature of a republic and the current status of our own are of little concern to the American people in general. Yet there is a small minority ignored by political, academic, and media personnel who do spend time thinking about the importance of what the proper role for government should be. The comparison of today's government to the one established by our Constitution is the subject of deep discussion for those who concern themselves with the future and look beyond the fall election.

The benefits we enjoy are a result of the Constitution our founding fathers had the wisdom to write. However, understanding the principles that were used to establish our Nation is crucial to its preservation and something we cannot neglect.

Unbelievable changes have occurred in the 20th century. We went from the horse and buggy age to the space age. Computer technology and the Internet have dramatically changed the way we live. All kinds of information and opinions on any subject are now available by clicking a few buttons. Technology offers an opportunity for everyone who seeks to the truth to find it, yet at the same time it enhances the ability of government to monitor our every physical, communicative, and financial move.

Mr. Speaker, let there be no doubt. For the true believers in big government, they see this technology as a great advantage for their cause. We are

currently witnessing an ongoing effort by our government to develop a national ID card, a medical data bank, a work data bank, "Know Your Customer" regulations on banking activity, a national security agent all-pervasive telephone snooping system called Echelon, and many other programs. There are good reasons to understand the many ramifications of the many technological advancements we have seen over the century to make sure that the good technology is not used by the government to do bad things.

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The 20th century has truly been a century of unbelievable technological advancement. We should be cognizant of what this technology has done to the size and nature of our own Government. It could easily be argued that, with greater technological advances, the need for government ought to decline and private alternatives be enhanced. But there is not much evidence for that argument.

In 1902, the cost of Government activities at all levels came to 7.7 percent of GDP. Today it is more than 50 percent.

Government officials oversee everything we do, from regulating the amount of water in our commodes to placing airbags in our cars, safety locks on our guns, and using our own land. Almost every daily activity we engage in is monitored or regulated by some Government agency. If one attempts to just avoid Government harassment, one finds himself in deep trouble with the law.

Yes, we can be grateful that the technological developments in the marketplace over the last 100 years have made our lives more prosperous and enjoyable. But any observant person must be annoyed by the ever-present Big Brother that watches and records our every move.

The idea that we are responsible for our own actions has been seriously undermined. And it would be grossly misleading to argue that the huge growth in the size of government has been helpful and necessary in raising the standard of living of so many Americans.

Since government cannot create anything, it can only resort to using force to redistribute the goods that energetic citizens produce. The old-fashioned term for this is "theft."

It is clear that our great prosperity has come in spite of the obstacles that big government places in our way and not because of it. And besides, our current prosperity may well not be as permanent as many believe.

Quite a few major changes in public policy have occurred in this century. These changes in policy reflect our current attitude toward the American Republic and the Constitution and help us to understand what to expect in the future. Economic prosperity seems to have prevailed. But the appropriate

question asked by too few Americans is, have our personal liberties be undermined?

Taxes: Taxes are certainly higher. A federal income tax of 35 to 40 percent is something many middle-class Americans must pay, while, on average, they work for the Government more than half the year. In passing on our estates from one generation to the next, our partner, the U.S. Government, decides on its share before the next generation can take over.

The estate tax certainly verifies the saying about the inevitability of death and taxes. At the turn of the century, we had neither. And in spite of a continuous outcry against both, there is no sign that either will soon be eliminated.

Accepting the principle behind both the income and the estate tax concedes the statist notion that the Government owns the fruits of our labor as well as our savings and we are permitted by the politicians' generosity to keep a certain percentage.

Every tax cut proposal in Washington now is considered a cost to Government, not the return of something rightfully belonging to a productive citizen. This principle is true whether it is a 1 percent or 70 percent income tax. Concern for this principle has been rarely expressed in a serious manner over the past 50 years. The withholding process has permitted many to believe that a tax rebate at the end of the year comes as a gift from Government.

Because of this, the real cost of Government to the taxpayer is obscured. The income tax has grown to such an extent and the Government is so dependent on it that any talk of eliminating the income tax is just that, talk. A casual acceptance of the principle behind high taxation with an income tax and an inheritance tax is incompatible with the principle belief in a true republic. It is impossible to maintain a high tax system without the sacrifice of liberty and an undermining of property ownership. If kept in place, such a system will undermine prosperity regardless of how well off we may presently be.

In truth, the amount of taxes we now pay compared to 100 years ago is shocking. There is little philosophic condemnation by the intellectual community, the political leaders, or the media of this immoral system. This should be a warning sign to all of us that even in less prosperous times we can expect high taxes and that our productive economic system will come under attack.

Not only have we seen little resistance to the current high tax system, it has become an acceptable notion that this system is moral and is a justified requirement to finance the welfare/warfare state.

Propaganda polls are continuously cited claiming that the American people do not want tax reductions. High taxes, except for only short periods of time, are incompatible with liberty and prosperity. We will, I am sure, be

given the opportunity in the early part of the next century to make a choice between the two. I am certain of my preference.

Welfare: There was no welfare state in 1900. In the year 2000, we have a huge welfare state which continues to grow each year. Not that special interest legislation did not exist in the 19th century. But for the most part, it was limited and directed toward the monied interest, the most egregious example being the railroads.

The modern-day welfare state has steadily grown since the Great Depression of the 1930s. The Federal Government is now involved in providing healthcare, houses, unemployment benefits, education, food stamps to millions, plus all kinds of subsidies to every conceivable special interest group. Welfare is now a part of our culture, costing hundreds of billions of dollars every year. It is now thought to be a right, something one is entitled to. Calling it an entitlement makes it sound proper and respectable and not based on theft.

Anyone who has a need, desire, or demand and can get the politicians' attention will get what he wants even though it may be at the expense of someone else.

Today, it is considered morally right and politically correct to promote the welfare state. Any suggestion otherwise is considered political suicide.

The acceptance of the welfare ethic and rejection of the work ethic as the process for improving one's economic condition are now ingrained in our political institutions. This process was started in earnest in the 1930s, received a big boost in the 1960s, and has continued a steady growth even through the 1990s despite some rhetoric in opposition.

This public acceptance has occurred in spite of the fact that there is no evidence that welfare is a true help in assisting the needy. Its abject failure around the world where welfarism took the next step into socialism has even a worse record.

The transition in the past hundred years from essentially no welfare to an all encompassing welfare state represents a major change in attitude in the United States. Along with the acceptance, the promoters have dramatically reinterpreted the Constitution in the way it had been for our first 150 years.

Where the General Welfare clause once had a clear general meaning, which was intended to prohibit special interest welfare and was something they detested and revolted against under King George, it is now used to justify any demand of any group as long as a majority in the Congress votes for it.

But the history is clear and the words in the Constitution are precise. Madison and Jefferson, in explaining the General Welfare clause, left no doubt as to its meaning.

Madison said, "With respect to the words 'general welfare,' I have always

regarded them as qualified by the detail of power connected with them. To take them in a literal and unlimited sense would be a metamorphosis of the Constitution and to a character which there is a host of proof not contemplated by its creators."

Madison argued that there would be no purpose whatsoever for the enumeration of the particular powers if the General Welfare clause was to be broadly interpreted.

The Constitution granted authority to the Federal Government to do only 20 things, each to be carried out for the benefits of the general welfare of all the people.

This understanding of the Constitution, as described by the Father of the Constitution, has been lost in this century. Jefferson was just as clear, writing in 1798 when he said, "Congress has not unlimited powers to provide for the general welfare but only those specifically enumerated."

With the modern-day interpretation of the General Welfare clause, the principle of individual liberty in the Doctrine of Enumerated Powers have been made meaningless.

The goal of strictly limiting the power of our national Government as was intended by the Constitution is impossible to achieve as long as it is acceptable for Congress to redistribute wealth in an egalitarian welfare state.

There is no way that personal liberty will not suffer with every effort to expand or make the welfare state efficient. And the sad part is that the sincere effort to help people do better economically through welfare programs always fails. Dependency replaces self-reliance, while the sense of self-worth of the recipient suffers, making for an angry, unhappy and dissatisfied society. The cost in dollar terms is high, but the cost in terms of liberty is even greater but generally ignored; and, in the long run, there is nothing to show for this sacrifice.

Today there is no serious effort to challenge welfare as a way of life, and its uncontrolled growth in the next economic downturn is to be expected. Too many citizens now believe they are entitled to the monetary assistance from the Government anytime they need it and they expect it. Even in times of plenty, the direction has been to continue expanding education, welfare, and retirement benefits.

No one asked where the Government gets the money to finance the welfare state. Is it morally right to do so? Is it authorized in the Constitution? Does it help anyone in the long run? Who suffers from the policy? Until these questions are seriously asked and correctly answered, we cannot expect the march toward a pervasive welfare state to stop and we can expect our liberties to be continuously compromised.

The concept of the Doctrine of Enumerated Powers was picked away at in the latter part of the 19th century over strong objection by many constitutionalists. But it was not until the

drumbeat of fear coming from the Roosevelt administration during the Great Depression that the courts virtually rewrote the Constitution by reinterpretation of the General Welfare clause.

In 1936, the New Deal Supreme Court told Congress and the American people that the Constitution is irrelevant when it comes to limits being placed on congressional spending. In a ruling justifying the Agricultural Adjustment Act, the Court pronounced, "The power of Congress to authorize appropriations of public money for public purposes is not limited by the grants of legislative power found in the Constitution."

With the stroke of a pen, the courts amended the Constitution in such a sweeping manner that it literally legalized the entire welfare state, which, not surprisingly, has grown by leaps and bounds ever since.

Since this ruling, we have rarely heard the true explanation of the General Welfare clause as being a restriction of government power, not a grant of unlimited power.

We cannot ignore corporate welfare, which is part of the problem. Most people think the welfare state involves only giving something to the unfortunate poor. This is generally true. But once the principle established that special benefits are legitimate, the monied interests see the advantages and influence the legislative process.

Our system, which pays lip service to free enterprise and private property ownership, is drifting towards a form of fascism or corporatism rather than conventional socialism. And where the poor never seem to benefit under welfare, corporations become richer. But it should have been expected that once the principle of favoritism was established, the contest would be over who has the greatest clout in Washington.

No wonder lobbyists are willing to spend \$125 million per month influencing Congress; it is a good investment. No amount of campaign finance reform or regulation of lobbyists can deal with this problem. The problem lies in the now accepted role for our Government. Government has too much control over people and the market, making the temptation and incentive to influence government irresistible and, to a degree, necessary.

Curtailling how people spend their own money or their right to petition their government will do nothing to this influence peddling. Treating the symptoms and not the disease only further undermines the principles of freedom and property ownership.

Any serious reforms or effort to break away from the welfare state must be directed as much at corporate welfare as routine welfare. Since there is no serious effort to reject welfare on principle, the real conflict over how to divide what Government plunders will continue.

Once it is clear that it is not nearly as wealthy as it appears, this will become a serious problem and it will get the attention it deserves, even here in the Congress.

Preserving liberty and restoring constitutional precepts are impossible as long as the welfare mentality prevails, and that will not likely change until we have run out of money. But it will become clear as we move into the next century that perpetual wealth and the so-called balanced budget, along with an expanding welfare state, cannot continue indefinitely. Any effort to perpetuate it will only occur with the further erosion of liberty.

2100

The role of the U.S. Government in public education has changed dramatically over the past 100 years. Most of the major changes have occurred in the second half of this century. In the 19th century, the closest the Federal Government got to public education was the land grant college program. In the last 40 years, the Federal Government has essentially taken charge of the entire system. It is involved in education at every level through loans, grants, court directives, regulations and curriculum manipulation. In 1900, it was of no concern to the Federal Government how local schools were run at any level.

After hundreds of billions of dollars, we have yet to see a shred of evidence that the drift toward central control over education has helped. By all measurements, the quality of education is down. There are more drugs and violence in the public schools than ever before. Discipline is impossible out of fear of lawsuits or charges of civil rights violations. Controlled curricula have downplayed the importance of our constitutional heritage while indoctrinating our children, even in kindergarten, with environmental mythology, internationalism and sexual liberation. Neighborhood schools in the early part of the 20th century did not experience this kind of propaganda.

The one good result coming from our failed educational system has been the limited, but important, revival of the notion that parents are responsible for their children's education, not the state. We have seen literally millions of children taken from the public school system and taught at home or in private institutions in spite of the additional expense. This has helped many students and has also served to pressure the government schools into doing a better job. And the statistics show that middle-income and low-income families are the most eager to seek an alternative to the public school system.

There is no doubt that the way schools are run, how the teachers teach and how the bills are paid is dramatically different from 100 years ago. And even though some that go through public schools do exceptionally well, there is clear evidence that the average high school graduate today is far less educated than his counterpart was in the early part of this century.

Due to the poor preparation of our high school graduates, college expects

very little from their students since nearly everyone gets to go to college who wants to. Public school is compulsory and college is available to almost everyone, regardless of qualifications. In 1914, English composition was required in 98 percent of our colleges. Today, it is about one-third. Only 12 percent of today's colleges require mathematics be taught where in 1914, 82 percent did. No college now requires literature courses, but rest assured plenty of social babble courses are required as we continue to dumb down our Nation.

Federal funding for education grows every year, hitting \$38 billion this year, \$1 billion more than requested by the administration and 7 percent more than last year. Great congressional debates occur over the size of the classroom, student and teacher testing, bilingual education, teacher salaries, school violence and drug usage. And it is politically incorrect to point out that all these problems are not present in the private schools. Every year, there is less effort at the Federal level to return education to the people, the parents and the local school officials.

For 20 years at least, some of our presidential candidates advocated the abolishing of the Department of Education and for the Federal Government to get completely out of public education. This year, we will hear no more of that. The President got more money for education than he asked for and it is considered not only bad manners but also political suicide to argue the case for stopping all Federal Government education programs.

Talk of returning some control of Federal programs to the States is not the same as keeping the Federal Government out of education as directed by the Constitution. Of the 20 congressionally authorized functions granted by the Constitution, education is not one of them. That should be enough of a reason not to be involved. There is no evidence of any benefit and statistics show that great harm has resulted. It has cost us hundreds of billions of dollars, yet we continue the inexorable march toward total domination of our educational system by Washington bureaucrats and politicians. It makes no sense. It is argued that if the Federal funding for education did not continue, education would suffer even more. Yet we see poor and middle-class families educating their children at home or at private school at a fraction of the cost of a government school education, with results fantastically better, and all done in the absence of violence and drugs.

A case can be made that there would be more money available for education if we just left the money in the States to begin with and never brought it to Washington for the bureaucrats and the politicians to waste. But it looks like Congress will not soon learn this lesson, so the process will continue and the results will get worse. The best thing we could do now is pass a bill to

give parents a \$3,000 tax credit for each child they educate. This would encourage competition and allow a lot more choice for parents struggling to help their children get a decent education.

The practice of medicine is now a government managed care system and very few Americans are happy with it. Not only is there little effort to extricate the Federal Government from the medical care business but the process of expanding the government's role continues unabated. At the turn of the 19th century, it was not even considered a possibility that medical care was the responsibility of the Federal Government. Since Lyndon Johnson's Great Society programs of the 1960s, the role of the Federal Government in delivering medical care has grown exponentially. Today the Federal Government pays more than 60 percent of all the medical bills and regulates all of it. The demands continue for more free care at the same time complaints about the shortcomings of managed care multiply. Yet it is natural to assume that government planning and financing will sacrifice quality care. It is now accepted that people who need care are entitled to it as a right. This is a serious error in judgment.

There is no indication that the trend toward government medicine will be reversed. Our problems are related to the direct takeover of medical care in programs like Medicare and Medicaid. But it has also been the interference in the free market through ERISA mandates related to HMOs and other managed care organizations, as well as our tax code, that have undermined the private insurance aspect of paying for medical care. True medical insurance is not available. The government dictates all the terms.

In the early stages, patients, doctors and hospitals welcomed these programs. Generous care was available with more than adequate reimbursement. It led to what one would expect, abuse, overcharges and overuse. When costs rose, it was necessary through government rulemaking and bureaucratic management to cut reimbursement and limit the procedures available and personal choice of physicians. We do not have socialized medicine but we do have bureaucratic medicine, mismanaged by the government and select corporations who usurp the decision-making power from the physician. The way medical care is delivered today in the United States is a perfect example of the evils of corporatism and an artificial system that only politicians, responding to the special interests, could create. There is no reason to believe the market cannot deliver medical care in an efficient manner as it does computers, automobiles and televisions. But the confidence is gone and everyone assumes, just as in education, that only a Federal bureaucracy is capable of solving the problems of maximizing the number of people, including the poor, who receive the best medical care available. In an effort to help the poor,

the quality of care has gone down for everyone else and the costs have skyrocketed.

Making generous medical savings accounts available is about the only program talked about today that offers an alternative to government mismanaged care. If something of this sort is not soon implemented, we can expect more pervasive government involvement in the practice of medicine. With a continual deterioration of its quality, the private practice of medicine will soon be gone.

Government housing programs are no more successful than the Federal Government's medical and education programs. In the early part of this century, government housing was virtually unheard of. Now the HUD budget commands over \$30 billion each year and increases every year. Finances of mortgages through the Federal Home Loan Bank, the largest Federal Government borrower, is the key financial institution pumping in hundreds of billions of dollars of credit into the housing market, making things worse. The Federal Reserve has now started to use home mortgage securities for monetizing debt. Public housing has a reputation for being a refuge for drugs, crimes and filth, with the projects being torn down as routinely as they are built. There is every indication that this entitlement will continue to expand in size regardless of its failures. Token local control over these expenditures will do nothing to solve the problem.

Recently, the Secretary of HUD, using public funds to sue gun manufacturers, claimed this is necessary to solve the problems of crime which government housing perpetuates. If a government agency, which was never meant to exist in the first place under the Constitution, can expand their role into the legislative and legal matters without the consent of the Congress, we indeed have a serious problem on our hands. The programs are bad enough in themselves but the abuse of the rule of law and ignoring the separation of powers makes these expanding programs that much more dangerous to our entire political system and is a direct attack on personal liberty. If one cares about providing the maximum best housing for the maximum number of people, one must consider a free market approach in association with a sound, nondepreciating currency. We have been operating a public housing program directly opposite to this and along with steady inflation and government promotion of housing since the 1960s, the housing market has been grossly distorted. We can soon expect a major downward correction in the housing industry prompted by rising interest rates.

Our attitude toward foreign policy has dramatically changed since the beginning of the century. From George Washington through Grover Cleveland, the accepted policy was to avoid entangling alliances. Although we spread our

wings westward and southward as part of our manifest destiny in the 19th century, we accepted the Monroe Doctrine notion that European and Asians should stay out of our affairs in this hemisphere and we theirs. McKinley, Teddy Roosevelt, and the Spanish American war changed all that. Our intellectual and political leaders at the turn of the last century brought into vogue the interventionist doctrine setting the stage for the past 100 years of global military activism. From a country that once minded its own business, we now find ourselves with military personnel in more than 130 different countries protecting our modern day American empire. Not only do we have troops spread to the four corners of the Earth, we find Coast Guard cutters in the Mediterranean and around the world, our FBI in any country we choose, and the CIA in places Congress does not even know about. It is a truism that the state grows and freedom is diminished in times of war. Almost perpetual war in the 20th century has significantly contributed to steadily undermining our liberties while glorifying the state.

In addition to the military wars, liberty has also suffered from the domestic wars on poverty, literacy, drugs, homelessness privacy and many others. We have in the last 100 years gone from the accepted and cherished notion of a sovereign Nation to one of a globalist new world order. As we once had three separate branches of our government, the United Nations proudly uses its three branches, the World Bank, the IMF and the World Trade Organization to work their will in this new era of globalism. Because the U.S. is by far the strongest military industrial power, it can dictate the terms of these international institutions, protecting what we see as our various interests such as oil, along with satisfying our military industrial complex. Our commercial interests and foreign policy are no longer separate. This allows for subsidized profits while the taxpayers are forced to protect huge corporations against any losses from overseas investments. The argument that we go about the world out of humanitarian concerns for those suffering, which was the excuse for bombing Serbia, is a farce. As bad as it is that average Americans are forced to subsidize such a system, we additionally are placed in greater danger because of our arrogant policy of bombing nations that do not submit to our wishes. This generates the hatred directed toward America, even if at times it seems suppressed, and exposes us to a greater threat of terrorism since this is the only vehicle our victims can use to retaliate against a powerful military state.

But even with the apparent success of our foreign policy and the military might we still have, the actual truth is that we have spread ourselves too thinly and may well have difficulty defending ourselves if we are ever threatened by any significant force around the

world. At the close of this century, we find our military preparedness and morale at an all-time low. It will become more obvious as we move into the 21st century that the cost of maintaining this worldwide presence is too high and cutbacks will be necessary. The costs in terms of liberty lost and the unnecessary exposure to terrorism are difficult to determine but in time it will become apparent to all of us that foreign interventionism is of no benefit to American citizens but instead is a threat to our liberties.

Throughout our early history and up to World War I, our wars were fought with volunteers. There was no military draft except for a failed attempt by Lincoln in the Civil War which ended with justified riots and rebellion against it. The attitudes toward the draft definitely changed over the past century. Draftees were said to be necessary to fight in World War I and World War II, Korea and Vietnam. This change in attitude has definitely satisfied those who believe that we have an obligation to police the world. The idiocy of Vietnam served as a catalyst for an antidraft attitude which is still alive today. Fortunately we have not had a draft for over 25 years, but Congress refuses to address this matter in a principled fashion by abolishing once and for all the useless selective service system. Too many authoritarians in Congress still believe that in times of need, an army of teenage draftees will be needed to defend our commercial interests throughout the world. A return to the spirit of the republic would mean that a draft would never be used and all able-bodied persons would be willing to volunteer in defense of their liberty. Without the willingness to do so, liberty cannot be saved. A conscripted army can never substitute for the willingness of freedom-loving Americans to defend their country out of their love for liberty.

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The U.S. monetary system. The U.S. monetary system during the 20th Century has dramatically changed from the one authorized by the Constitution. Only silver and gold were to be used in payment of debt, and no paper money was to be issued. In one of the few restrictions on the states, the Constitution prohibited them from issuing their own money, and they were to use only gold and silver in payment of debt. No Central Bank was authorized.

The authors of the Constitution were well aware of the dangers of inflation, having seen the harm associated with the destruction of the Continental currency. They never wanted to see another system that ended with the slogan, "it's not worth a Continental." They much preferred sound as a dollar, or as good as gold, as a description of our currency.

Unfortunately, their concerns as they were reflected in the Constitution have been ignored and as this century closes we do not have a sound dollar as

good as gold. The changes to our monetary system are by far the most significant economic events of the 20th Century. The gold dollar of 1900 is now nothing more than a Federal Reserve note with a promise by untrustworthy politicians and the central bankers to pay nothing for it.

No longer is there silver or gold available to protect the value of a steadily depreciating currency. This is a fraud of the worst kind and the type of a crime that would put a private citizen behind bars. But there have been too many special interests benefitting by our fiat currency, too much ignorance and too much apathy regarding the nature of money.

We will surely pay the price for this negligence. The relative soundness of our currency that we enjoy as we move into the 21st Century will not persist. The instability in world currency market because of the dollar's acceptance for so many years as the world's currency, will cause devastating adjustments that Congress will eventually be forced to address.

A transition from sound money to paper money did not occur instantaneously. It occurred over a 58 year period between 1913 and 1971, and the mischief continues today.

Our Central Bank, the Federal Reserve System, established in 1913 after two failed efforts in the 19th Century, has been the driving force behind the development of our current fiat system. Since the turn of the century, we have seen our dollar lose 95 percent of its purchasing power, and it continues to depreciate. This is nothing less than theft, and those responsible should be held accountable.

The record of the Federal Reserve is abysmal, yet at the close of the 20th Century, its chairman is held in extremely high esteem, with almost zero calls for study of sound money with the intent to once again have the dollar linked to gold.

Ironically, the government and politicians are held in very low esteem, yet the significant trust in them to maintain the value of the currency is not questioned. But it should be.

The reasons for rejecting gold and promoting paper are not mysterious, since quite a few special interests benefit. Deficit financing is much more difficult when there is no Central Bank available to monetize government debt. This gives license to politicians to spend lavishly on the projects that are most likely to get them reelected. War is more difficult to pursue if government has to borrow or tax the people for its financing. The Federal Reserve's ability to create credit out of thin air to pay the bills run up by Congress establishes a symbiosis that is easy for the politician to love.

It is also advantageous for the politicians to ignore the negative effects from such a monetary arrangement, since they tend to be hidden and disseminated. A paper money system attracts support from various economic

groups. Bankers benefit from the float that they get with the fractional reserve banking that accompanies a fiat monetary system. Giant corporations who get to borrow large funds at below market interest rates enjoy the system and consistently call for more inflation and artificially low interest rates. Even the general public seems to benefit from the artificial booms brought about by credit creation, with lower interest rates allowing major purchases like homes and cars.

The naive and uninformed fully endorse the current system because the benefits are readily available, while the disadvantages are hidden, delayed or not understood. The politicians, central bankers, commercial banks, big business borrowers, all believe their needs justify such a system.

But the costs are many and the dangers are real. Because of easy credit throughout this century we have found out that financing war was easier than if taxes had to be raised. The many wars we have fought and the continuous military confrontations in smaller wars since Vietnam have made the 20th Century a bloody century. It is most likely that we would have pursued a less militaristic foreign policy if financing it had been more difficult.

Likewise, financing the welfare state would have progressed much slower if our deficits could not have been financed by an accommodative Central Bank willing to inflate the money supply at will.

There are other real costs as well that few are willing to believe are a direct consequence of Federal Reserve Board policy. Rampant inflation after World War I as well as the 1921 depression were a consequence of monetary policy during and following the war. The stock market speculation of the 1920s, the stock market collapse of 1929 and the depression of the 1930s causing millions to be unemployed, all resulted from Federal Reserve Board monetary mischief.

Price inflation of the early 1950s was a consequence of monetary inflation required to fight the Korean War. Wage and price controls used then totally failed, yet the same canard was used during the Vietnam war in the early 1970s to again impose wage and price controls, with even worse results.

All the price inflation, all the distortions, all the recessions and unemployment should be laid at the doorstep of the Federal Reserve. The Fed is an accomplice in promoting all unnecessary war, as well as the useless and harmful welfare programs, with its willingness to cover Congress' profligate spending habits.

Even though the Fed did great harm before 1971 after the total elimination of the gold-dollar linkage, the problems of deficit spending, welfare expansion and military-industrial complex influence have gotten much worse.

Although many claim the 1990s have been great economic years, Federal Reserve Board action of the past decade

has caused problems yet to manifest itself. The inevitable correction will come as the new century begins, and it is likely to be quite serious.

The stage has been set. Rampant monetary growth has led to historic high asset inflation, massive speculation, overcapacity, malinvestment, excessive debt, a negative savings rate and a current account deficit of huge proportions. These conditions dictate a painful adjustment, something that would have never occurred under a gold standard.

The special benefits of foreigners taking our inflated dollars for low priced goods and then loaning them back to us will eventually end. The dollar must fall, interest rates must rise, price inflation will accelerate, the financial asset bubble will burst, and a dangerous downturn in the economy will follow.

There are many reasons to believe the economic slowdown will be worldwide, since the dollar is the reserve currency of the world. An illusion about our dollar's value has allowed us to prop up Europe and Japan in this past decade during a period of weak growth for them, but when reality sets in, economic conditions will deteriorate. Greater computer speed, which has helped to stimulate the boom of the 1990s, will work in the opposite direction as all of the speculative positions unwind, and that includes the tens of trillions of dollars in derivatives.

There was a good reason the Federal Reserve rushed to rescue long-term capital management with a multibillion dollar bailout: It was unadulterated fear that the big correction was about to begin. Up until now, feeding the credit bubble with even more credit has worked, and is the only tool they have to fight the business cycle, but eventually control will be lost.

A paper money system is dangerous economically and not constitutionally authorized. It is also immoral for government to counterfeit money, which dilutes the value of the currency and steals values from those who hold the currency and those who do not necessarily benefit from its early circulation.

Not everyone benefits from the largesse of government spending programs or systematic debasement of the currency. The middle class, those not on welfare and not in the military industrial complex suffer the most from rising prices and job losses in the correction phase of the business cycle.

Congress must someday restore sound money to America. It is mandated in the Constitution, it is economically sound to do so, and it is morally right to guarantee a standard of value for the money. Our oath of office obligates all Members of Congress to pay attention to this and participate in this needed reform.

Police state. A police state is incompatible with liberty. One hundred years ago the Federal Government was responsible for enforcing very few laws.

This has dramatically changed. There are now over 3,000 Federal laws and 10,000 regulations, employing hundreds of thousands of bureaucrats diligently enforcing them, with over 80,000 of the bureaucrats carrying guns.

We now have an armed national police state, just as Jefferson complained of King George in the Declaration of Independence. "He has sent hither swarms of officers to harass our people and eat out their substance."

A lot of political and police power has shifted from the state and local communities to the Federal Government over the past 100 years. If a constitutional republic is desired and individual liberty is cherished, this concentration of power cannot be tolerated.

Congress has been derelict in creating the agencies in the first place and ceding to the Executive the power to write regulations and even tax without Congressional approval. These agencies enforce their own laws and supervise their own administrative court system where citizens are considered guilty until proven innocent. The Constitution has been thrown out the window for all practical purposes, and although more Americans every day complain loudly, Congress does nothing to stop it.

The promoters of the bureaucratic legislation claim to have good intentions, but they fail to acknowledge the cost, inefficiency or the undermining of individual rights. Worker safety, environmental concerns, drug usage, gun control, welfarism, banking regulations, government insurance, health insurance, insurance against economic and natural disaster, and the regulation of fish and wildlife. Are just a few of the issues that prompts the unlimited use of Federal regulatory and legislative power to deal with perceived problems.

But, inevitably, for every attempt to solve one problem, government creates two new ones. National politicians are not likely to volunteer a market or local government solution to a problem, or they will find out how unnecessary they really are.

Congress' careless attitude about the Federal bureaucracy and its penchant for incessant legislation have prompted serious abuse of every American citizen. Last year alone there were more than 42,000 civil forfeitures of property occurring without due process of law or conviction of a crime, and oftentimes the owners were not even charged with a crime.

Return of illegally seized property is difficult, and the owner is forced to prove his innocence in order to retrieve it. Even though many innocent Americans have suffered, these laws have done nothing to stop drug usage or change people's attitude toward the IRS.

Seizure and forfeitures only make the problems they are trying to solve that much worse. The idea that a police department under Federal law can

seize property and receive direct benefit from it is an outrage. The proceeds can be distributed to the various police agencies without going through the budgetary process. This dangerous incentive must end.

The national police state mentality has essentially taken over crime investigation throughout the country. Our local sheriffs are intimidated and frequently overruled by the national police. Anything worse than writing traffic tickets prompts swarms of Federal agents to the scene. We frequently see the FBI, the DEA, the CIA, the BATF, Fish and Wildlife, the IRS, Federal marshals and even the Army involved in local law enforcement. They do not come to assist, but to take over.

The two most notorious examples of federal abuse of police powers were seen at Ruby Ridge and Waco, where non-aggressive citizens were needlessly provoked and killed by government agents. At Waco, even Army tanks were used to deal with a situation that the local sheriff could have easily handled.

These two incidents are well-known, but thousands of other similar abuses routinely occur with little publicity. The Federal police state seen in the action the Ruby Ridge and Waco hopefully is not a sign of things to come, but it could be, if we are not careful.

If the steady growth of the Federal police power continues, the American republic cannot survive. The Congresses of the 20th Century have steadily undermined the principle that the government closest to home must deal with law and order, and not the Federal Government.

The Federal courts also have significantly contributed to this trend. Hopefully in the new century our support for a national police state will be diminished. We have in this past century not only seen the undermining of the Federalism that the Constitution desperately tried to preserve, but the principles of separation of powers among the three branches of government have been severely compromised as well.

The Supreme Court no longer just rules on Constitutionality, but frequently rewrites the laws with attempts at comprehensive social engineering. The most blatant example was the *Roe v. Wade* ruling. The Federal court should be hearing a lot fewer cases, deferring as often as possible to the states courts.

Throughout the 20th Century, with Congress' obsession for writing laws for everything, the Federal courts were quite willing to support the idea of a huge interventionist Federal Government. The fact that the police officers in the Rodney King case were tried twice for the same crime, ignoring the constitutional prohibition against double jeopardy, was astoundingly condoned by the courts, rather than condemned. It is not an encouraging sign that the concept of equal protection under the law will prevail.

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Mr. Speaker, I will yield back the few minutes I have left because I plan to complete my special order on this subject on Wednesday evening.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. ABERCROMBIE (at the request of Mr. GEPHARDT) for today on account of illness.

Mr. DAVIS of Illinois (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. BROWN of Ohio (at the request of Mr. GEPHARDT) for today and the balance of the week on account of illness.

Ms. Sanchez (at the request of Mr. GEPHARDT) for today and the balance of the week on account of official business.

Ms. Carson (at the request of Mr. GEPHARDT) for today and the balance of the week on account of official business.

Mr. TURNER (at the request of Mr. GEPHARDT) for today, February 1 and 2 on account of family medical emergency.

Ms. KILPATRICK (at the request of Mr. GEPHARDT) for today on account of official business.

Mr. SANFORD (at the request of Mr. ARMEY) for today and February 1 on account of personal reasons.

Mr. SCHAFFER (at the request of Mr. ARMEY) for today on account of travel delay.

Mr. KINGSTON (at the request of Mr. ARMEY) for today on account of flight delays.

Mr. WATKINS (at the request of Mr. ARMEY) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mrs. JONES of Ohio) to revise and extend their remarks and include extraneous material:)

Mr. CLEMENT, for 5 minutes, today.

(The following Members (at the request of Mr. METCALF) to revise and extend their remarks and include extraneous material:)

Mr. PICKERING, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, today, February 1 and 2.

Mr. GUTKNECHT, for 5 minutes, today.

Mr. SOUDER, for 5 minutes, February 1.

Mrs. CHENOWETH-HAGE, for 5 minutes, February 1.

Mr. METCALF, for 5 minutes, today.

Mr. GILMAN, for 5 minutes, today.

Mr. SCARBOROUGH, at his own request, for 5 minutes, today.

OMITTED FROM THE CONGRESSIONAL RECORD OF THURSDAY, JANUARY 27, 2000, PAGE H-29

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate has passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 241. Concurrent resolution providing for a joint session of Congress to receive a message from the President on the state of the Union.

ADJOURNMENT

Mr. PAUL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 30 minutes p.m.), under its previous order, the House adjourned until Tuesday, February 1, 2000, at 9:30 a.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5877. A letter from the Administrator, Food Safety and Inspection Service, Department of Agriculture, transmitting the Department's final rule—Sanitation Requirements for Official Meat and Poultry Establishments [Docket No. 96-037F] received November 29, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5878. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule—Mexican Fruit Fly; Regulated Areas, Regulated Articles, and Treatments [Docket No. 99-075-2] received December 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5879. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Bifenthrin; Extension of Tolerance for Emergency Exemptions [OPP-300955; FRL-6395-5] (RIN: 2070-AB78) received December 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5880. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Metsulfuron methyl; Pesticide Tolerances for Emergency Exemptions [OPP-300950; FRL-6391-8] (RIN: 2070-AB78) received December 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5881. A communication from the President of the United States, transmitting the budget request for the Department of Health and Human Services' Low Income Home Energy Assistance Program; (H. Doc. No. 106-183); to the Committee on Appropriations and ordered to be printed.

5882. A letter from the Assistant General Counsel for Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Technical Amendment to the Section 8 Management Assessment Program (SEMAP); Final Rule

[Docket No. FR-4498-F-02] (RIN: 2577-AC10) received December 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

5883. A letter from the Assistant to the Board, Federal Reserve Board, transmitting the Board's final rule—Loans in Areas Having Special Flood Hazards [Regulation H; Docket No. R-1052] received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

5884. A letter from the Assistant General Counsel for Regulations, Department of Education, transmitting the Department's final rule—Special Education-Personnel Preparation to Improve Services and Results for Children with Disabilities (RIN: 1820-AB46) received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5885. A letter from the Deputy Executive Secretary, Head Start Bureau, Department of Health and Human Services, transmitting the Department's final rule—Head Start Program (RIN: 0970-AB98) received December 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

5886. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [Region VII Tracking No. MO-074-1074a; FRL-6512-2] received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5887. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Air Quality Implementation Plans; Delaware, Maryland, Pennsylvania, and Virginia; Approval of National Low Emission Vehicle Programs [DE 047-1024a, MD 089-3042a, PA 140-4092a, VA 104-5043a; FRL-6483-9] received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5888. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Indiana [IN110-1a, FRL-6483-2] received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5889. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [Region VII Tracking No. MO 083-1083a; FRL-6510-9] received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5890. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—National Emission Standards for Hazardous Air Pollutants for Amino/Phenolic Resins Production [FRL-6513-4] (RIN: 2060-AE36) received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5891. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Revision to Promulgation of Federal Implementation Plan for Arizona—Maricopa Nonattainment Area; PM-10 [AZ 012-FIP; FRL-6511-3] received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5892. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmit-

ting the Agency's final rule—Approval and Promulgation of Implementation Plans; Texas Repeal of Board Seal Rule and Revisions to Particulate Matter Regulations [TX-79-1-7439. FRL-6510-5] received December 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5893. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; New Jersey; Motor Vehicle Inspection and Maintenance Program [Region II Docket No. NJ41-207, FRL-6509-4] received December 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5894. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; California State Implementation Plan Revision, South Coast Air Quality Management District [CA 038-0193a; FRL-6510-7] received December 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5895. A letter from the Director, Office of Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval of Data Sharing Committee Recommendations for Lead and Copper—received December 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5896. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Drinking Water State Revolving Fund (DWSRF) Program Policy Announcement: Eligibility of Using DWSRF Funds to Create a New Public Water System [FRL-6183-2] received December 10, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5897. A letter from the Assistant Division Chief, Policy Program Planning Division, Federal Communications Commission, transmitting the Commission's final rule—Deployment of Wireline Services Offering Advanced Telecommunications Capability [CC Docket No. 98-147] and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996 [CC Docket No. 96-98] received December 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5898. A letter from the Secretary, Bureau of Consumer Protection/Enforcement Division, Federal Trade Commission, transmitting the Commission's final rule—Rule Concerning Disclosures Regarding Energy Consumption and Water Use of Certain Home Appliances and Other Products Required Under the Energy Policy and Conservation Act ("Appliance Labeling Rule")—received December 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5899. A letter from the Director, Regulations Policy and Management Staff, FDA, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Paper and Paperboard Components [Docket No. 99F-1423] received December 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5900. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting Directive 5.6 "Integrated Materials Performance Evaluation Program (IMPEP)," pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

5901. A letter from the Director, Bureau of Economic Analysis, Department of Commerce, transmitting the Department's final rule—International Services Surveys: BE-80, Benchmark Survey of Financial Services Transactions Between U.S. Financial Services Providers and Unaffiliated Foreign Persons [Docket No. 9906111599276-02] (RIN: 0691-

AA35) received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

5902. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Procurement List Additions and Deletions—received December 20, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5903. A letter from the Executive Director, Committee For Purchase From People Who Are Blind Or Severely Disabled, transmitting the Committee's final rule—Additions and Deletions—received December 15, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5904. A letter from the Chairman, Postal Rate Commission, transmitting the report on the Federal Managers' Financial Integrity Act; to the Committee on Government Reform.

5905. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Illinois Regulatory Program [SPATS No. IL-097-FOR, Part II] received December 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5906. A letter from the Director, Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule—Endangered and Threatened Wildlife and Plants; Determination of Endangered Status for *Sidalcea oregana* var. *calva* (Wenatchee Mountains Checker-Mallow) received December 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5907. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Virginia Regulatory Program [VA-116-FOR] received December 21, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5908. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule—Valid Existing Rights (RIN: 1029-AB42) received December 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5909. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—SAFETY ZONE: New Years Eve '99 Fireworks Display, Southampton, NY [CGD 01-99-184] (RIN: 2115-AA97) received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5910. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Regulated Navigation Area; Arrival Notification and Year 2000 (Y2K) Reporting Requirements for Vessels Transiting the Cape Cod Canal [CGD01-99-150] (RIN: 2115-AE84) received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5911. A letter from the Acting Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Navesink River, NJ [CGD01-99-075] (RIN: 2115-AE47) received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5912. A letter from the Chief, Office of Regulation and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Regatta and Marine Parades [CGD 95-054] (RIN: 2115-AF17) received December 16, 1999, pursuant

to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5913. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Federal Aviation Administration Policy and Final Guidance Regarding Benefit Cost Analysis (BCA) on Airport Capacity Projects for FAA Decisions on Airport Improvement Program (AIP) Discretionary Grants and Letters of Intent (LOI)—received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5914. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Award of Grants for Special Projects Authorized by this Agency's FY 1999 Appropriations Act—received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5915. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Award of Grants for Special Projects Authorized by this Agency's FY 1997 Appropriations Acts—received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5916. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Award of Grants for Special Projects Authorized by the Omnibus Consolidated Rescissions and Appropriations Act of 1996 (P.L. 104-134)—received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5917. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Supplemental Guidance for the Award of Section 319 Nonpoint Source Grants in FY2000—received January 3, 2000, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5918. A letter from the Trial Attorney, Federal Railroad Administration, transmitting the Administration's final rule—Annual Adjustment of Monetary Threshold for Reporting Rail Equipment Accidents/Incidents and Other Technical Amendment [FRA-98-4898, Notice No. 2] (RIN: 2130-AB30) received December 13, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5919. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Continuity of Interest on Repurchase of Issuer's Shares [Rev. Rul. 99-58] received December 16, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5920. A letter from the the Director, the Office of Management and Budget, transmitting the final OMB sequestration report to the President and Congress for Fiscal Year 2000, pursuant to 2 U.S.C. 901; (H. Doc. No. 106-182); to the Committee on the Whole House on the State of the Union and ordered to be printed.

5921. A communication from the President of the United States, transmitting a report on the State of the Union; (H. Doc. No. 106-160); to the Committee on the Whole House on the State of the Union and ordered to be printed.

5922. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting the six month suspension and periodic report under section 6 of the Jerusalem Embassy Act of 1995 [Presidential Determination No. 00-0 8]; jointly to the Com-

mittees on International Relations and Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DIAZ-BALART: Committee on Rules. House Resolution 408. Resolution providing for consideration of the bill (H.R. 1838) to assist in the enhancement of the security of Taiwan, and for other purposes (Rept. 106-490). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

[The following action occurred on January 28, 2000]

Pursuant to clause 5 of rule X, the Committee on Education and the Workforce discharged. H.R. 3081 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mrs. CHENOWETH-HAGE:

H.R. 3552. A bill to require that agricultural products imported into the United States be subject to the same sanitary or phytosanitary measures as the same products of the United States, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS:

H.R. 3553. A bill to establish a grant program in the Department of Defense to assist States and local governments in improving their ability to prevent and respond to domestic terrorism; to the Committee on Armed Services, and in addition to the Committees on the Judiciary, and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARTLETT of Maryland (for himself and Mr. HOSTETTLER):

H.R. 3554. A bill to name the United States Army missile range at Kwajalein Atoll in the Marshall Islands for former President Ronald Reagan; to the Committee on Armed Services.

By Mr. FRELINGHUYSEN:

H.R. 3555. A bill to ensure the efficient allocation of telephone numbers; to the Committee on Commerce.

By Mr. CASTLE (for himself and Mr. PITTS):

H.R. 3556. A bill to designate segments and tributaries of White Clay Creek, Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; to the Committee on Resources.

By Mr. FOSSELLA (for himself, Mr. BLILEY, Mr. OXLEY, Mr. KING, Mr. REYNOLDS, Mr. SWEENEY, Mr. MCGOVERN, Mr. SHERWOOD, Mr. DELAY, Mr. CROWLEY, Mr. SHIMKUS, Mrs. MCCARTHY of New York, Mr. MEEKS of New York, Mr. BOEHLERT, Mr. OWENS, Mr. QUINN, Mrs. KELLY, Mr. GALLEGLY, Mr. EHLERS, Mr. ENGEL, Mr. SAXTON, Mrs. MALONEY of New York, Mr. GIBBONS, Mr. RANGEL, Mr. CHABOT, Mr.

LARGENT, Mr. LAHOOD, Mr. LAMPSON, Mr. PITTS, Mr. HOLDEN, Mr. GILLMOR, Mr. TIAHRT, Mr. EHRLICH, Mr. CAMP, Mr. BLUNT, Mr. SMITH of New Jersey, Ms. ESHOO, Mr. TANCREDO, Mr. COYNE, Mr. FORBES, Mr. WOLF, Mr. WALSH, Mr. COBURN, Mr. NEAL of Massachusetts, Mr. COSTELLO, Mr. GILMAN, Mr. LATOURETTE, Mr. WAMP, Mr. McNULTY, Mr. LAZIO, Mr. MCHUGH, Mr. WEINER, Mr. KUCINICH, Mr. KNOLLENBERG, Mr. SOUDER, Mr. DOYLE, Mr. VITTER, Ms. DELAURO, Mr. TAUZIN, Mr. HYDE, Mr. DICKEY, and Mr. RYAN of Wisconsin):

H.R. 3557. A bill to authorize the President to award a gold medal on behalf of the Congress to John Cardinal O'Connor, Archbishop of New York, in recognition of his accomplishments as a priest, a chaplain, and a humanitarian; to the Committee on Banking and Financial Services.

By Mr. METCALF (for himself, Mr. INSLEE, Ms. DUNN, and Mr. SMITH of Washington):

H.R. 3558. A bill to amend title 49, United States Code, to improve pipeline safety; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLF (for himself, Mr. DAVIS of Virginia, and Mr. MORAN of Virginia):

H.R. 3559. A bill to designate certain facilities of the United States Postal Service; to the Committee on Government Reform.

By Mr. FRELINGHUYSEN:

H.R. 3560. A bill to require the Federal Trade Commission to prescribe regulations to protect the privacy of personal information collected from and about individuals who are not covered by the Children's Online Privacy Protection Act of 1998 on the Internet, to provide greater individual control over the collection and use of that information, and for other purposes; to the Committee on Commerce.

By Mr. SCHAFFER (for himself, Mr. ROEMER, Mr. TANCREDO, Mr. HOEKSTRA, Mr. LAHOOD, Mr. MCINTOSH, Mr. BAKER, Mr. CHABOT, and Mr. KING):

H. Res. 409. A resolution honoring the contributions of Catholic schools; to the Committee on Education and the Workforce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 6: Mr. FRELINGHUYSEN.

H.R. 44: Mr. FOLEY.

H.R. 65: Mr. FOLEY.

H.R. 73: Mr. BARR of Georgia and Mr. ROGAN.

H.R. 205: Mr. LAMPSON.

H.R. 303: Mr. SKELTON and Mr. OWENS.

H.R. 353: Mr. BALLENGER, Mrs. NORTHUP, Mrs. ROUKEMA, and Mr. ALLEN.

H.R. 382: Ms. DEGETTE.

H.R. 405: Ms. MCCARTHY of Missouri.

H.R. 406: Mr. KLECZKA.

H.R. 460: Mr. HERGER.

H.R. 534: Mr. HILL of Montana, Mr. SPRATT, Mr. COLLINS, Mr. CLYBURN, Mr. NORWOOD, and Mr. ISAKSON.

H.R. 601: Mr. FOLEY.

H.R. 654: Mr. STARK and Mr. TOWNS.

H.R. 711: Mr. FOLEY.

H.R. 721: Mr. GARY MILLER of California.

H.R. 786: Mr. DOOLITTLE.

H.R. 865: Mr. REYES.

H.R. 963: Mr. EVANS.

H.R. 984: Mr. DAVIS of Illinois and Mr. GOSS.

H.R. 995: Mr. SHADEGG.

H.R. 1062: Mr. ABERCROMBIE.

H.R. 1272: Mr. SHADEGG.

H.R. 1285: Ms. LEE and Mr. TOWNS.

H.R. 1304: Mr. GILLMOR, Mr. WISE, Mr. PAYNE, and Mr. DEFAZIO.

H.R. 1357: Mr. FATTAH.

H.R. 1363: Mr. GOSS and Mr. KUCINICH.

H.R. 1413: Mr. FOLEY.

H.R. 1485: Ms. ESHOO.

H.R. 1547: Mrs. EMERSON.

H.R. 1593: Mr. NUSSLE.

H.R. 1634: Mr. TRAFICANT.

H.R. 1671: Mr. GEJDENSON.

H.R. 1732: Mr. KLINK.

H.R. 1839: Mr. STUPAK and Mr. HILLEARY.

H.R. 1850: Ms. BALDWIN.

H.R. 1870: Mr. PASTOR, Mr. MASCARA, Mr. WISE, Mr. MCGOVERN, Mr. HINCHEY, and Mr. WYNN.

H.R. 1890: Mr. GARY MILLER of California.

H.R. 1997: Mr. BLAGOJEVICH.

H.R. 2000: Mr. SHAW.

H.R. 2128: Mr. BASS.

H.R. 2298: Ms. KAPTUR.

H.R. 2437: Mr. BARR of Georgia.

H.R. 2539: Mr. BACA.

H.R. 2543: Mrs. TAUSCHER, Mr. UDALL of Colorado, Mr. OBERSTAR, and Mr. NUSSLE.

H.R. 2553: Mr. STUPAK.

H.R. 2623: Mr. GEJDENSON.

H.R. 2720: Mr. GOODE, Mrs. CHRISTENSEN, Mr. HUTCHINSON, Mr. WISE, Mr. DELAHUNT, Mr. BASS, and Mr. PICKETT.

H.R. 2890: Mr. FRANK of Massachusetts and Mr. TOWNS.

H.R. 2900: Mr. BLUMENAUER, Mr. HOFFEL, Mr. STARK, Ms. DEGETTE, Mr. SHAYS, Mr. GILMAN, Mr. DAVIS of Illinois, Mr. TOWNS, Ms. BERKLEY, and Mr. FATTAH.

H.R. 2907: Mr. MINGE and Mr. PICKETT.

H.R. 2929: Mr. FILNER, Mr. McNULTY, and Mr. ENGEL.

H.R. 2966: Mr. DOOLITTLE, Mr. LARSON, Ms. SANCHEZ, and Mr. TANNER.

H.R. 2980: Mr. SANDERS and Ms. BALDWIN.

H.R. 3003: Mr. SMITH of New Jersey.

H.R. 3008: Mr. BONIOR, Mr. CUMMINGS, and Mr. DEFAZIO.

H.R. 3071: Ms. PELOSI, Mr. JACKSON of Illinois, and Mr. CONYERS.

H.R. 3087: Mr. BACA.

H.R. 3091: Ms. RIVERS, Mr. GEKAS, Mrs. MALONEY of New York, Mr. TOWNS, Mr. MCHUGH, Mr. MEEKS of New York, Mr. POMEROY, Mr. KANJORSKI, Mr. GOODLATTE, Mr. KING, Ms. SCHAKOWSKY, Mr. SCOTT, Mr. FATTAH, and Mr. HINCHEY.

H.R. 3100: Mr. GEJDENSON.

H.R. 3192: Mr. BOEHLERT, Mr. CAMPBELL, Mrs. MORELLA, and Ms. ROYBAL-ALLARD.

H.R. 3212: Mr. MCCOLLUM and Mr. BACA.

H.R. 3235: Mr. LAFALCE.

H.R. 3295: Mr. ACKERMAN, Mr. LAHOOD, Mr. REYES, Mr. CLYBURN, and Mr. HASTINGS of Florida.

H.R. 3315: Mr. DAVIS of Illinois, Mr. MCHUGH, Mr. CAPUANO, and Mr. OWENS.

H.R. 3439: Mr. COBLE, Mr. BONILLA, Mr. SWEENEY, Mr. MORAN of Kansas, and Mr. FOLEY.

H.R. 3455: Mrs. MALONEY of New York, Mrs. JONES of Ohio, Mr. LEWIS of Georgia, Mrs. CLAYTON, Mr. UNDERWOOD, Ms. CARSON, and Mr. GEORGE MILLER of California.

H.R. 3518: Mr. COX, Mr. HASTINGS of Washington, Ms. GRANGER, Mr. SOUDER, Mr. LOBIONDO, and Mr. NETHERCUTT.

H.R. 3525: Mr. EHRLICH, Mr. CLEMENT, Mr. CRAMER, Mr. SPENCE, Mr. DOYLE, Mrs. MYRICK, Mr. HAYWORTH, Mr. WATKINS, Mr. BRADY of Texas, Mr. DOOLITTLE, and Ms. PRYCE of Ohio.

H.R. 3536: Mr. LOBIONDO.

H.R. 3539: Mr. STUMP, Mr. BARRETT of Nebraska, Mr. TANCREDO, Mr. HILLEARY, Mr. COBLE, and Mr. DUNCAN.

H.R. 3543: Mr. OWENS, Mrs. KELLY, Mr. ENGLISH, Mrs. MALONEY of New York, Mr. COSTELLO, and Mr. MCHUGH.

H.J. Res. 48: Ms. WOOLSEY.

H. Con. Res. 77: Mr. TIERNEY, Mr. VIS-CLOSKY, and Mr. STUPAK.

H. Con. Res. 119: Mr. PICKETT and Mr. BARCIA.

H. Con. Res. 123: Mr. MARTINEZ, Mr. STUPAK, Mr. SISISKY, and Mr. MCGOVERN.

H. Con. Res. 240: Mr. CUMMINGS, Mr. BISHOP, Mr. KANJORSKI, Mrs. JONES of Ohio, Mr. NADLER, Mr. BECERRA, Mr. HOFFEL, Mrs. CHRISTENSEN, Ms. PELOSI, Ms. SLAUGHTER, Mr. BAIRD, Mr. BOEHLERT, Mr. BACA, Mr. STARK, Ms. KILPATRICK, Mr. SANDERS, Mr. DINGELL, Mr. McNULTY, Mr. JEFFERSON, and Mr. PASCRELL.

H. Con. Res. 244: Mr. GEJDENSON, Mr. FATTAH, Mr. DAVIS of Florida, Mr. KUYKENDALL, and Mr. REGULA.

H. Res. 107: Mr. SHERMAN, Mr. UDALL of Colorado, and Mr. OWENS.

H. Res. 146: Mrs. JONES of Ohio.

H. Res. 314: Mr. HOLDEN.

H. Res. 380: Mr. TANCREDO, Mrs. MYRICK, and Mr. MILLER of Florida.